



Digitized by the Internet Archive
in 2022 with funding from
Kahle/Austin Foundation



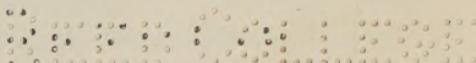
ARGUMENTATION AND DEBATING

Revised Edition

BY

WILLIAM TRUFANT FOSTER, PH.D., LL.D.

*President of Reed College. Formerly Professor of English and
Argumentation in Bowdoin College*



BOSTON, NEW YORK AND CHICAGO
HOUGHTON MIFFLIN COMPANY
The Riverside Press Cambridge
W

COPYRIGHT, 1908 AND 1917, BY WILLIAM TRUFANT FOSTER

ALL RIGHTS RESERVED

3601160 00001

The Riverside Press
CAMBRIDGE, MASSACHUSETTS
U. S. A.

PREFACE

THE original edition of *Argumentation and Debating* was used as a textbook, from 1908 to 1917, in more than one hundred universities and colleges. The experience of these institutions has been made the basis for the revised edition. More than one hundred college teachers aided in the revision. The following are among those who made especially helpful suggestions:—

J. H. Atkinson, Iowa State College.
Margaret Ball, Mount Holyoke College.
Madison C. Bates, South Dakota State College.
Josephine Burnham, University of Kansas.
James W. Cain, Washington State College, Maryland.
Henry P. Chandler, University of Chicago.
J. L. Chesnutt, University of Southern California.
S. H. Clark, University of Chicago.
George H. Clarke, University of Tennessee.
I. M. Cochran, Carleton College, Minnesota.
Clinton H. Collester, Massachusetts Institute of Technology.
H. V. Cranston, University of Maine.
Albert A. Crecelius, Hiram College, Ohio.
William H. Davis, Bowdoin College, Maine.
Jesse R. Derby, Iowa State College.
H. B. Gislason, University of Minnesota.
Chester N. Greenough, Harvard University, Massachusetts.
Philip M. Hicks, Swarthmore College, Pennsylvania.
Carl Holliday, University of Montana.
Ernest H. Lindley, Indiana University.
Carroll L. Maxcy, Williams College, Massachusetts.
Glenn N. Merry, University of Iowa.
John Muirheid, Hobart College, New York.
J. R. Pelsma, University of Texas.
Sigurd H. Peterson, Oregon Agricultural College.
Robert W. Prescott, University of Oregon.
E. D. Schonberger, Washburn College, Kansas.

Roderick Scott, Oberlin College, Ohio.
Milton Simpson, Michigan Agricultural College.
Charles W. Snow, Indiana University.
Thomas B. Stanley, University of Illinois.
A. Starbuck, Iowa State College.
James Sterlson, College of William and Mary, Virginia.
Stanley S. Swartley, Allegheny College, Pennsylvania.
John A. Taylor, University of North Dakota.
William C. Thayer, Lehigh University, Pennsylvania.
Thomas C. Trueblood, University of Michigan.
J. Sherman Wallace, McMinnville College, Oregon.
Dwight E. Watkins, Knox College, Illinois.
J. Wilbur Kay, Washington and Jefferson College, Pennsylvania.
I. L. Winter, Harvard University, Massachusetts.
Homer Woodbridge, Colorado College.
Mary Yost, Vassar College, New York.

The aim of the revised edition is to present the essentials of Argumentation and Debating as simply as possible, following the order in which the difficulties arise in actual practice. The order is psychological rather than logical. The point of view is that of the student rather than that of the instructor.

The amount of practical material, therefore, in proportion to the amount of theoretical material, is large. The chapter on brief-drawing, for example, starts with a familiar proposition and takes the student step by step through the development of a complete working brief. The chapter on fallacies deals not only with the common sources of fallacies, but as well with the most effective methods of exposing fallacies; the chapter on evidence deals not only with the tests of evidence, but as well with the sources and the methods of using evidence. In short, the aim throughout is to show the student how to go to work. No imaginary difficulties are raised; the necessity for every topic has been proved in many class-rooms for many years. Only those parts of the original edition are retained which, according to the testimony of teachers, have been found especially useful in actual class-room work.

Special care has been taken to present an abundance of

striking illustrations, dealing, as a rule, with subjects of immediate interest, free from extraneous and exceptional elements, and usually within the range of the student's information and experience, so that he may direct his attention to the principles involved. In order that the first specimens of argument may not be discouragingly far above the beginner's possibilities, examples are presented from the work of students at more than a score of colleges.

All training in spoken discourse should be subordinate to training in thinking. It should be a means to the end of clear and direct expression of the pupil's own thoughts. John Stuart Mill, in his *Autobiography*, says: "I have always dated from these conversations [discussions in a debating society] my own inauguration as an original and independent thinker." Training in public speaking should be conducted by teachers who aim *first*, to produce sound thinkers, *second*, to train these thinkers in the clear, correct, straightforward, and effective oral expression of their own thoughts. There are no more effective means of attaining these aims in American colleges and universities than the study of argumentation and debating.

Those who believe that argumentation deserves a high place among school studies "hold very strongly" with Cardinal Newman, "that the first step in intellectual training is to impress upon a boy's mind the idea of science, method, order, principle, and system; of rule and exception. . . . Let him once gain this habit of method, of starting from fixed points, of making his ground good as he goes, of distinguishing what he knows from what he does not know, and I conceive he will be gradually initiated into the largest and truest philosophical views, and will feel nothing but impatience and disgust at the random theories and imposing sophistries and dashing paradoxes, which carry away half formed and superficial intellects."

Science and principle, — in argumentation the student meets principles based upon the science of logic from which,

as he soon discovers, the rational mind cannot escape. *Method, order, system*, — this is the very backbone of argument. Without methodical procedure from definitions to historical facts, to admitted matters, through conflicting contentions to the main issues and thence to the argument, by order of proposition and proof, from the known to the unknown, all according to a systematic brief, — without all this there is chaos, not argument. No other form of discourse so readily conveys to young minds the most important ideas of rhetorical structure.

Again, *let the boy start from fixed points and make his ground good as he goes*, — this is the process of the exact sciences; but argumentation applies this process to all practical questions, especially to the innumerable public problems to the solution of which the boy as a citizen should some day bring a well-trained mind. *Let him distinguish what he knows from what he does not know*, — this is the initial business of argumentation, through which many a boy gets his first contempt for snap judgments and his first incentive for testing the supposed knowledge and *random theories* by which he has been accustomed to guide his conduct in everyday affairs. Argumentation, as it should be taught, cultivates that power, — so greatly needed and so little found both in school and in the life beyond Commencement, — the power of independent thinking.

Let us not be surprised, however, if the study of the principles of argumentation and masterpieces of oratory seems dry without the prospect of actual debate. A half-back feels no enthusiasm over reading the rules of the game and tackling a dummy unless he looks forward to tackling a man. When elocution and argumentative writing have failed to stimulate interest, formal debate may succeed, for it has the fascination of a game — with aims far beyond the game itself. In the time limit, the order of speakers, the alternation of sides, the struggle of opposing forces, the give and take of rebuttal,

the rules and the ethics of conduct, the qualifications for success, and the final awarding of victory, debate has much in common with tennis and football. The great superiority of debating lies in the fact that it adds to these elements of the absorbing interest in athletics those educational values which prepare directly for the highest type of citizenship.

From work in debating, guided by efficient instruction and right ideals, students discover that debatable questions are far from simple; and they learn to refrain from making judgments based on ignorance. The necessity for thorough preparation is forced upon them by the conditions of the contest. Often the hard work for a given debate provides their first standard for sounding the shallowness of their knowledge on other subjects. They learn to examine a question critically to find out what it actually involves, to define terms with precision, to distinguish the relevant matters from the irrelevant matters which confuse the ordinary discussion of the subject, to separate what may be admitted or granted from the contentions of *both* sides, and thus, through this conflict, to reach the main issues. In the attempt to group their evidence in relation to these issues, they learn something of structure, coherence, unity, proportion. Best of all, they come to respect the opinions of those who differ from them, but to accept nothing and to offer nothing unless the reasoning is sound and the evidence sufficient. There could be no better training for citizenship.

W. T. F.

REED COLLEGE
PORTLAND, OREGON
May 1, 1917

CONTENTS

FIRST CHAPTER

PHRASING THE PROPOSITION

I. THE PROPOSITION SHOULD BE DEBATABLE	3
II. THE PROPOSITION SHOULD NOT EMPLOY AMBIGUOUS TERMS	5
III. THE PROPOSITION SHOULD NOT BE TOO BROAD	7
IV. THE PROPOSITION SHOULD EMBODY ONE CENTRAL IDEA .	8
V. THE PROPOSITION SHOULD GIVE TO THE AFFIRMATIVE THE BURDEN OF PROOF	8
VI. THE PROPOSITION SHOULD BE INTERESTING	9
VII. THE PROPOSITION FOR FIRST PRACTICE SHOULD COVER FAMILIAR GROUND	10
VIII. THE PROPOSITION SHOULD BE PHRASED BRIEFLY AND SIMPLY	10
SUMMARY OF THE REQUIREMENTS FOR PHRASING THE PROPOSITION	11
EXERCISES	12

SECOND CHAPTER

ANALYZING THE PROPOSITION

IMPORTANCE OF THE MAIN ISSUES	13
ISSUES MAY NOT BE CHOSEN ARBITRARILY	16
STEPS IN ANALYSIS	19
I. THE IMMEDIATE CAUSE FOR DISCUSSION	22
II. THE ORIGIN AND HISTORY OF THE QUESTION	22
III. THE DEFINITION OF TERMS	28
Requisites of a definition	29
Inadequacy of dictionary definitions	30
Special methods of definition	33

1. Definition by authority	33
2. Definition by negation	34
3. Definition by exemplification	35
4. Definition by etymology	36
5. Definition by explication	36
IV. THE RESTATEMENT OF THE QUESTION AS DEFINED	38
V. THE EXCLUSION OF IRRELEVANT MATTER	38
VI. STATEMENT OF ADMITTED AND WAIVED MATTER	41
VII. REACHING THE SPECIAL ISSUES BY CONTRASTING THE CONTENTIONS OF AFFIRMATIVE AND NEGATIVE	45
SUMMARY OF THE STEPS IN ANALYSIS	56
EXERCISES	56

THIRD CHAPTER

CONSTRUCTING THE BRIEF

I. NATURE AND PURPOSE OF THE BRIEF	62
II. RULES FOR CONSTRUCTING THE BRIEF	63
III. SHORT SPECIMEN BRIEFS	72
IV. DEVELOPMENT OF A LONGER SPECIMEN BRIEF	76
V. COMPLETE WORKING BRIEF	82
VI. SUMMARY OF THE RULES FOR CONSTRUCTING THE BRIEF	89
EXERCISES	90

FOURTH CHAPTER

PROVING THE PROPOSITION: EVIDENCE

I. THE NECESSITY FOR EVIDENCE	92
II. TWO KINDS OF EVIDENCE	96
III. EVIDENCE FROM AUTHORITY	97
IV. TESTS OF EVIDENCE FROM AUTHORITY	99
1. Is the reference to authority definite?	100
2. Is the authority capable of giving expert testimony? .	103
3. Has the authority had sufficient opportunity to know the facts?	104
4. Is the authority prejudiced?	104
5. Is the authority reluctant?	107
6. Is the authority aware of the significance of his testimony?	107

7. Is too great reliance placed on one authority?	108
8. Is the authority used by opponents?	110
9. Is the authority likely to be accepted?	111
SUMMARY OF THE TESTS OF AUTHORITY	111
V. DIRECT AND INDIRECT EVIDENCE	112
VI. SELECTION OF EVIDENCE	115
VII. USE OF EVIDENCE	117
VIII. TAKING NOTES OF EVIDENCE	117
IX. SOURCES OF EVIDENCE	119
EXERCISES	121

FIFTH CHAPTER

PROVING THE PROPOSITION: INDUCTIVE AND DEDUCTIVE ARGUMENT

THE LOGIC OF ARGUMENT	123
ATTENDANT CIRCUMSTANCES	127
INDUCTIVE AND DEDUCTIVE ARGUMENT	128
Deductive argument	129
The use of the syllogism in refutation	133
Inductive argument	135
EXERCISES	138

SIXTH CHAPTER

PROVING THE PROPOSITION: THE ARGUMENT FROM EXAMPLE

I. GENERALIZATION	141
Four tests of generalization	141
SUMMARY OF THE TESTS OF GENERALIZATION	150
II. ANALOGY	150
Three tests of the argument from analogy	152
ANALOGY AS EXPOSITION AND ARGUMENT	159
ANALOGY RARELY SUFFICIENT AS ARGUMENT	162
SUMMARY OF THE TESTS OF THE ARGUMENT FROM ANALOGY	163
EXERCISES	164

SEVENTH CHAPTER

PROVING THE PROPOSITION: ARGUMENT FROM CAUSAL RELATION

I. ARGUMENT FROM EFFECT TO CAUSE	171
II. ARGUMENT FROM CAUSE TO EFFECT	176
III. ARGUMENT FROM EFFECT TO EFFECT	180
The so-called "argument from sign"	181
EXERCISES	184

EIGHTH CHAPTER

REFUTING OPPOSING ARGUMENTS: FALLACIES

REFUTATION	189
FALLACIES	190
DEFINITION A SAFEGUARD AGAINST FALLACIES	192
I. FALLACIES OF THE ARGUMENT FROM EXAMPLE	192
A. Hasty generalization	193
B. False analogy	193
II. FALLACIES OF MISTAKEN CAUSAL RELATION	193
A. Mistaking the cause, by employing —	
1. Another effect of the cause	194
2. That which is associated with the effect by chance	195
3. That which operates after the effect	196
4. That which is causal but insufficient	197
Refutation of fallacies in mistaking the cause	200
B. Mistaking the effect	202
III. FALLACIES OF IGNORING THE QUESTION	204
1. To infer from the character, professions, or conduct of an individual the truth or falsity of a general proposition	204
2. To reach a conclusion through appeal to tradition, prejudice, passion, or sense of humor	205
3. To shift ground	208
4. To proceed to a conclusion other than the one at issue .	209
5. To overlook a part of the question through the fallacy of division	209

IV. FALLACIES OF BEGGING THE QUESTION	211
1. To argue in a circle	211
2. To assume a more general point which involves the point at issue	213
3. To assume a particular truth which the proposition involves	214
4. To employ "question-begging" words	215
5. To assume a point at issue in defining the terms	216
USE OF STATISTICS	216
EXERCISES	221

NINTH CHAPTER

REFUTING OPPOSING ARGUMENTS: SPECIAL METHODS

I. SELECTION OF REFUTATION	225
II. POSITION OF REFUTATION	227
III. PRESENTATION OF REFUTATION	228
IV. SPECIAL METHODS OF REFUTATION	229
1. Reductio ad absurdum	229
2. Method of residues	231
3. Exposing inconsistencies	233
4. Turning the tables	236
V. TWO ESSENTIALS OF REFUTATION	238
EXERCISES	239

TENTH CHAPTER

DEVELOPING THE ARGUMENT FROM THE BRIEF: THE PRINCIPLES AND QUALITIES OF STYLE

THE PRINCIPLES OF STYLE	243
I. Unity	243
II. Emphasis	244
III. Coherence	247
THE QUALITIES OF STYLE	248
IV. Clearness	249
V. Ease	250
VI. Brevity	252

VII. Concreteness	254
VIII. Illustration	256
EXERCISES	259

ELEVENTH CHAPTER

AROUSING THE EMOTIONS: PERSUASION

CONVICTION AND PERSUASION	260
SOURCES OF PERSUASION	262
I. The Man	262
Sincerity	263
Earnestness	263
Simplicity	264
Fairness	265
Self-control	265
Humor	266
Sympathy	266
Openness of mind	268
Personal magnetism	268
II. The Subject	269
III. The Occasion	272
EXERCISES	273

TWELFTH CHAPTER

DEBATING

DEBATING NOT MERE CONTENTIOUSNESS	275
BURDEN OF PROOF AND PRESUMPTION	275
THE TENDENCY TO QUIBBLE	278
VALUE OF THE EXCHANGE OF BRIEFS FOR COLLEGE DEBATES	279
PREPARATION	280
THE FIRST SPEECH FOR THE AFFIRMATIVE	282
THE FIRST SPEECH FOR THE NEGATIVE	286
THE OTHER MAIN SPEECHES	287
REBUTTAL SPEECHES	288
THE CLOSING REBUTTAL SPEECH	291
ORGANIZATION OF REBUTTAL MATERIAL	291

ATTITUDE TOWARD OPPONENTS	293
RIDICULE AND SATIRE	295
INVECTIVE	295
EPITHETS	296
HONOR IN DEBATE	297
DELIVERY	299
FIVE METHODS OF DELIVERY	299
VOICE	301
ENUNCIATION	301
POSITION	302
GESTURES	302
READING QUOTATIONS	303
PRACTICE IN DELIVERY	303
MARKING TRANSITIONS	304
EMPHASIS	304
A FINAL WORD ABOUT DEBATING	305
EXERCISES	309

APPENDICES

I. SPECIMEN OF ANALYSIS: INTRODUCTION OF A BRIEF FOR A DEBATE	311
II. SPECIMEN OF ANALYSIS: OPENING SPEECH FOR THE AFFIRMATIVE IN A DEBATE	314
III. SPECIMEN OF ANALYSIS: OPENING SPEECH FOR THE NEGATIVE IN A DEBATE	317
IV. SPECIMEN OF ANALYSIS: OPENING SPEECH FOR THE AFFIRMATIVE IN A DEBATE	319
V. SPECIMEN OF ANALYSIS: INTRODUCTION TO A FORENSIC	321
VI. SPECIMEN BRIEFS: (A) PREPARED FOR AN INTERCOLLEGIATE DEBATE . . .	328
(B) PREPARED FOR A STATE LEGISLATURE	335
VII. SPECIMEN BRIEF AND FORENSIC: SHOWING THE RELA- TION OF THE BRIEF TO THE COMPLETE ARGUMENT	337
VIII. SPECIMEN OF FALLACIES: FALLACIES OF IGNORING THE QUESTION	358
IX. SPECIMEN ARGUMENT: REASONING FROM CAUSAL RELATION	360
X. SPECIMEN ARGUMENT: SHORT EDITORIALS	362

CONTENTS

XI. SPECIMEN ARGUMENTS: LONG EDITORIAL	370
XII. SPECIMEN ARGUMENT: SPEECH IN A FORMAL DE- BATE	372
XIII. SPECIMEN ARGUMENT: PRESIDENTIAL ADDRESS . .	376
XIV. SPECIMEN ARGUMENT: AN INFORMAL ORAL DISCUS- SION	383
XV. SPECIMEN ARGUMENT: CONTROVERSY IN PERIODICAL LITERATURE	394
XVI. SPECIMEN ARGUMENT: MAGAZINE ARTICLE	408
XVII. SPECIMEN INTERCOLLEGIATE DEBATE	419
XVIII. SPECIMEN CONSTITUTIONS: FOR DISCUSSION LEAGUES AND DEBATING CLUBS	432
XIX. SOURCES OF MATERIAL	433
XX. A LIST OF PROPOSITIONS	447
INDEX	465

ARGUMENTATION AND DEBATING

ARGUMENTATION AND DEBATING

FIRST CHAPTER PHRASING THE PROPOSITION

"These, then, are the problems we have to consider: the use of the universal laws of reasoning, the development of the habit of analysis and of unprejudiced methods of investigation, the secret of clear and rapid expression of intellectual processes, and the art of adapting one's material to his hearers so as to win their favor and affect their conduct." — R. M. ALDEN.

THE object of argumentation, like the object of the law court, is to arrive at definite conclusions regarding definite issues. To attain this object the law court demands that whoever appeals to it shall present a clear case, and "shall set forth with certainty and with truth the matters of fact or of law, the truth or falsity of which must be decided to decide the case." In other words, the proposition and the issues it involves must be clear at the outset.

This is true, not only in law courts and legislative assemblies and intercollegiate debates, but as well in every-day, informal discussion. When you meet a classmate on the campus and seek his support for a new daily paper, or call upon a merchant to solicit an advertisement, or write a letter to a friend to convince him of the benefits of a liberal education, or prepare a poster urging students to attend a mass meeting, or write a short editorial in defense of the honor principle in examinations, you are making some use of the universal laws of reasoning for the purpose of winning the favor of somebody and affecting his conduct. In every case, you should have clearly in mind the exact proposition you are trying to prove, even though you do not phrase it in formal ways.

For argumentation, a term will not suffice. You may *explain* the construction of the Lusitania, or *describe* its appearance on leaving the dock, or *narrate* the story of its tragic end, or you may *argue* on either side of the proposition, "The sinking of the Lusitania by Germany was justifiable."

The proposition in formal debate corresponds to the motion, resolution, or bill presented in deliberative bodies, such as the branches of Congress. For purposes of debate, the proposition may be phrased in the form of a resolution, such as, "Resolved, that the Democratic Party should nominate Mr. _____ for President," or in the form of a question: "Should the Democratic Party nominate Mr. _____ for President?"

It is not easy to phrase the proposition so that it shall mean precisely what we wish to argue; so that it shall include the whole matter at issue, nothing more and nothing less. Yet, unless the proposition is so phrased, a debate may degenerate into a quibble concerning the meaning of the terms. To phrase a proposition properly usually requires care.

After a writer has decided on the general subject, he should consider various phrasings before he begins writing an argument. If he wishes to discuss free public high schools, for example, he might phrase his proposition in any of the following ways: —

1. Only grammar-school education should be free.
2. In all high schools, supported by the public treasury, a fee of thirty dollars per year should be charged each pupil.
3. High schools, entirely supported by the public treasury, are an injustice to the working-classes.
4. The free high school is an unjust charge upon the public treasury.
5. At least twenty-five per cent of the annual expenses of high schools should be paid by fees required of all pupils.
6. All pupils in public high schools should pay an annual fee of thirty dollars.

7. All pupils more than sixteen years old in public high schools should be required to pay fees.
8. The cost per pupil of high schools, paid out of the public treasury, should never be greater than the cost per pupil of primary and grammar-school education.
9. The expenses of public high schools should be partly met by tuition fees from all pupils.
10. Ninety per cent of the public appropriation for schools should be spent on the primary and grammar schools.
11. Free education by the State should be limited to those ages where compulsory education is required by law.
12. The cost of no public educational institutions except primary schools and grammar schools should be wholly paid by public taxation.

Every political campaign shows the need of definite propositions for debate. In a state campaign in Maine, some of the speeches of the Democrats could be reduced to the contention, "Prohibition does not prohibit"; and some of the speeches of the Republicans could be reduced to the contention, "Temperance is a great virtue." As these speeches were not concerned with debatable issues, there was no debate.

I. THE PROPOSITION SHOULD BE DEBATALE

The first requirement of the proposition is that it shall be debatable. It is not debatable, (a) if it is obviously true or obviously false; (b) if it cannot be proved approximately true or false.

(a) Propositions like those in Geometry, which are obviously true or obviously false, cannot be disputed. The following is an example, though it is recommended in a book on debate: "Resolved, that the only way to benefit the laboring classes or secure any kind of political reform is by the destruction of the liquor traffic." To prove this proposition, one must

prove that sanitary conditions, shorter hours, safety devices, compulsory insurance, employers' liability laws, and the prevention of child-labor do not benefit laborers. This proposition is undebatable because obviously false. Such a proposition as this: "Resolved, that breach of trust in high office is reprehensible," is undebatable because obviously true.

The same objection holds against propositions that "beg the question": that is, assume to be true or false the point at issue. The word *brutal* in "The brutal game of football should be abolished," assumes to be true one of the points in dispute. It begs the question. So does the proposition, "Resolved, that the criminal negligence of President Wilson in failing to protect our rights in Mexico was un-American." The school which attempted to decide in debate whether "military drill should be replaced by something more beneficial," found the same difficulty. No debate was possible. The proposition begs the question which was probably intended for debate, namely, whether military drill *can* be replaced by anything more beneficial.

(b) Propositions that cannot be proved approximately true or false are not debatable. Such is the proposition, "Man has done more than woman to advance civilization." One might as sensibly contend that sodium contributes more than chlorine to the value of salt. One of the early presidents of Harvard College wrote a dissertation on the question, "Whether angels speak any language; if so, whether it is Hebrew." Much futile discussion on such questions has sometimes brought debating into ill repute. A question should offer more than an ingenious exercise; it should offer the possibility of reaching, through the process of argument, a reasonably sound conclusion, regarded by the particular audience or disputants as of some practical importance.

Much time is wasted in the discussion of undebatable questions. Some students in a New England college attempted to debate the question, "Is iron of more use to mankind than

coal?" The talk, which on one side was an enumeration of the uses of coal, and on the other side an equally long list of the uses of iron, showed in the end only that the subject was not debatable. A proposition must offer something more than an opportunity to enumerate "points" on each side; it must offer common standards of comparison, as, for example: "The Single Tax is preferable to the general property tax."

II. THE PROPOSITION SHOULD NOT EMPLOY AMBIGUOUS TERMS

The proposition should not hinge on the interpretation of ambiguous terms, — that is, words with more than one meaning. Great care must be taken to insure a debate on the proposition itself, by avoiding the necessity of any debate as to the meaning of the proposition.

Debates which purport to be on vital matters and become disputes over the meaning of terms are trying to the audience, and not nearly so profitable to the disputants as debates which move directly to fundamental issues.

The difficulty of so phrasing a proposition that it shall have one clear meaning and only one, experience will surely show. And this experience is of great value. Even books on debate commend ambiguous propositions, such as the following "standard question for young debaters": "Are the works of nature more beautiful than those of art?" There is nothing at issue here but the meaning of beauty; and since artists and philosophers have failed to reach a satisfactory definition of beauty, the discussion of the question by "young debaters" might be futile. Similarly, the question whether Greek and Latin should be considered essential to a good education involves mainly the definition of the word "good" as applied to education. Likewise the question, "Is law a better profession than medicine?" offers nothing but a controversy over the meaning of the word "better." For debates, the terms of the

proposition should be so free from ambiguity that when one side has offered a reasonable interpretation, the opposing side cannot find another interpretation, without obviously seeking to evade the intended issues.

In order to avoid ambiguous questions and the consequent opportunities for quibbling, it is well to avoid *general* terms, unless they surely have but one meaning for all the people concerned in the argument. In a recent high-school "debate" on the question, "Should anarchists be suppressed by federal law?" the affirmative dealt wholly with one class of anarchists, — a bloodthirsty mob, aiming at the forcible overthrow of all government. The negative confined their argument to law-abiding citizens who advocate, in accord with the constitutional liberties of thought and speech, the peaceable overthrow of government. There was no debate. Suppose the proposition had been phrased, "All persons advocating the overthrow of government by forcible means should be punished by federal law." Such phrasing, free from the ambiguity of the term "anarchist," would have given the proposition one meaning for both sides.

Among the general terms which frequently cause similar troubles are "Policy," "Imperialism," "Un-American," "Militarism," "Patriotism," "Culture," "Success," "Church," "Civilization," and "Monroe Doctrine." If it seems desirable to use such terms for debate, they should be accompanied by explanatory clauses. Or, if a proposition is found to be ambiguous after it has been selected, the two sides should agree as soon as possible on the meaning of the ambiguous terms for the particular debate. Thus a superficial and inconsequential discussion may be avoided.

III. THE PROPOSITION SHOULD NOT BE TOO BROAD

The proposition should be sufficiently limited in scope to admit satisfactory treatment in the time or space available.

Even if there are no general terms, a debate for which the time is brief, or a magazine article for which the space is limited, will not be satisfactory if the question is too broad. "Is the United States justifiable in its attitude toward Mexico?" covers too much ground. A better question is, "Was President Wilson justified in recognizing the Carranza Government?" Similarly, the question, "Was Germany justified in deporting the Belgians?" gives promise of a better debate than the broad question, "Was Germany justified in her methods of conducting the war?"

Many of the propositions suggested in the Appendix of this book may well be limited by application to local conditions. A debate at R—— College on the general proposition, "The Elective System of studies is preferable to any other system," is not likely to be so interesting or so profitable as a debate on the proposition, "The complete elective system for the three upper classes at R—— College is preferable to the present group system."

An intercollegiate debate on the proposition, "The United States should use every means to maintain the integrity of China," proved unsatisfactory because of the term, "every means." Did the term exclude war? That question of limitation, which should have been settled in advance, became the main question of the debate.

The question, "Should there be commercial reciprocity with Canada?" might lead us to ask whether the approval of Canada could be obtained, whether reciprocity would benefit Canada, and whether it would aid in keeping us at peace with England. If these questions are not intended, the phrasing should exclude them. A smaller and better question is, "Would commercial reciprocity between the United States and Canada benefit the United States economically?"

IV. THE PROPOSITION SHOULD EMBODY ONE CENTRAL IDEA

The proposition should embody one central idea; for unless all the parts of a subject for debate can be grouped under one principle, one part may be decided in the affirmative and another part in the negative.

¶ Parliamentary law recognizes this difficulty through providing the "motion for the division of the question." This calls for a separate vote on each part whenever members find it difficult to vote because two principles are involved. "Resolved, that the present tariff promotes the commercial interests of New England," is suitable for debate, even though it involves many items. For, if the main issues underlying each part are the same, no confusion need result from the number of parts. Such is not the case with the following double-headed proposition recommended in a book for debaters: "Military drill should be taught in the common schools of America, and all able-bodied citizens should be required to serve a term in the army." Here are different underlying principles, and consequently different sets of main issues. An attempt to discuss all at once would result in confusion.

**V. THE PROPOSITION SHOULD GIVE TO THE AFFIRMATIVE
THE BURDEN OF PROOF**

For any argument, the subject should be so phrased that the affirmative makes the attack, advocates something new, or attempts to overthrow something which is established; in other words, so that the affirmative has the burden of proof.

"He who affirms must prove." The common law holds that "no one shall, in the first instance, be called on to prove a negative, or be put on his defense, without sufficient evidence against him having been offered, which, if not contradicted or explained, would be conclusive."¹

¹ Thayer, *Preliminary Treatise on Evidence*.

The one who makes the charge is said to have the burden of proof; the defendant is said to have the presumption in his favor. A man is presumed to be innocent until he is proved guilty. The presumption holds good until overthrown by proof or by an offsetting presumption. To give the affirmative side of a debate the burden of proof is to call for progress in the first speech, and thus help to get the actual debating started at once.

VI. THE PROPOSITION SHOULD BE INTERESTING

The proposition should have some immediate interest — the more the better — for both the disputants and the audience.

The proposition concerning the comparative use to mankind of iron and coal is objectionable, not only because it is undebatable, but also because mankind cares little how it is answered. There should be some interest in a debate other than the mere desire to win a decision. The scholastic disputants of the Middle Ages tried to determine how many angels can stand on the point of a needle, but the people of our day demand subjects which touch modern life. The student should look about him for matters of immediate interest. Let him make note of questions which arise in any of his classes. Let him consult the programs of civic leagues, the newspapers, *The Literary Digest*, *The New Republic*, *The Survey*, *The Independent*, the *Congressional Record*, the Messages of the President, and the political campaigns in his own community. Let him find out what people are actually discussing for some reason other than "for the sake of argument." In his search for live propositions, he should find the daily life about him more helpful than the list in the Appendix of this or any other book.

VII. THE PROPOSITION FOR FIRST PRACTICE SHOULD COVER FAMILIAR GROUND

Subjects chosen for first practice should be within the range of the writer's information and experience.

Such subjects will leave him free to devote his attention rather to the problems of argumentation than to the understanding of the question and the collection of material. The old favorite subjects for lyceums and graduation exercises — such as, "Was Hamlet Mad?" and "Is the Belief in Immortality Rational?" — are not adapted to first practice. Almost as objectionable are the new favorites concerning federal regulation of railway rates and municipal ownership of public utilities. Until a student is acquainted with the principles of argumentation, he will do well to confine his practice to familiar subjects, such as the following: "Should the class of —— insure certain of its members, with the College as beneficiary?" "Should first-year students be allowed to play on R— College athletic teams?" "Should an honor system be adopted for examinations at R— College?" "Should high-school fraternities be prohibited?" "Should motion-picture theaters be open on Sundays?" Any beginner in this study may find, among the propositions in the Appendix arranged for first practice, a few which are not too complicated or unfamiliar for his purpose.

VIII. THE PROPOSITION SHOULD BE PHRASED BRIEFLY AND SIMPLY

The question should be phrased as briefly and simply as is consistent with the other requirements.

Complicated propositions for intercollegiate contests sometimes result from the custom of having each institution alternately choose the proposition, leaving the choice of sides to

the other. Efforts are made to phrase propositions so that they shall not be evenly balanced, but shall seem so to opponents until the choice of sides has been announced. Such attempts to win the debate before the other side has a chance, bring debating into ill repute, because the aim is victory rather than the pursuit of truth, and the resulting contest is often a mere quibble over the meaning of an intricate proposition.

It is better to have two teams from each institution, one for the proposition and one against it, provided this plan can be carried out without requiring any debater to speak against his convictions.

As soon as we have an interesting, debatable proposition, embodying one central idea which is not too broad, phrased briefly and definitely, free from ambiguous and general terms, and placing upon the affirmative the burden of proof, we are ready for the work of getting at the heart of the question.

SUMMARY OF THE REQUIREMENTS FOR PHRASING THE PROPOSITION

1. It should be debatable.
2. It should not employ ambiguous words.
3. It should not be too broad.
4. It should embody one central idea.
5. It should give to the affirmative the burden of proof.
6. It should be interesting.
7. It should cover familiar ground for first practice.
8. It should be phrased briefly and simply.

EXERCISES FOR THE FIRST CHAPTER

1. APPLY the tests to the following propositions:—
 - a. Japan and Italy should not have entered the war.
 - b. The relative condition of wage-earners in the United States is inferior to that of fifty years ago.
 - c. It was for Japan's best interests to waive the indemnity clause in the peace treaty with Russia.
 - d. The colonial policy of Great Britain is justifiable.
 - e. The pen is mightier than the sword.
 - f. Self-made men are the strongest.
 - g. The ministry is a nobler profession than the law.
 - h. Education is a good business investment.
 - i. The protective tariff should not be revised.
 - j. The highways of this State retard the progress of civilization and should be improved by the Federal Government.
 - k. War is a crime against humanity.
2. From the list of propositions in the Appendix XVIII, select any which seem to you objectionable. Rephrase them.
3. Phrase satisfactory questions for argument with reference to the next municipal election; college entrance requirements; the regulation of child-labor; the study of Latin; the Panama Canal; Sunday newspapers; interstate commerce; commerce of neutral nations in time of war; conscription of soldier.
4. Select a question for your written argument.

SECOND CHAPTER

ANALYZING THE PROPOSITION

“As in any art, in argumentation use makes perfect, and he who is told he has promise as a debater will be wise to submit to severe training in the principles which underlie argumentation; nor should he allow himself to be led astray by that *ignis fatuus* of the weary or lazy student, the idea that because in his first careful study of the rules of the art he finds his work hampered by them, he is losing his individuality and may even work less well after his study than before. There is undoubtedly a stage in learning and applying laws of any art when, for a time, the student feels hampered by warnings for and against this or that, and longs for his old freedom of movement which certainly brought him large results. Gradually, however, the laws that were at first so hampering become a matter of course. When this stage in his work is reached, if he compares his result with the results of his labor before he studied at all, he will see his great gain. Certainly, only when a man has so thoroughly learned his art that instinctively he works rightly, can he be said to be master of it.” — G. P. BAKER.

SUCCESSFUL argumentation ordinarily accomplishes three objects:—

(1) *It sets forth both clearly and convincingly just what must be done to establish or to overthrow the proposition;* (2) *does this by convincing arguments;* and (3) *arouses in connection with these arguments emotions of sufficient strength to move the will.*

First of all, then, an argument should show definitely and clearly the work that must be done. It should find all the central ideas embodied in the question and exclude all else. In other words, it should first show what the *main issues* are, — that is to say, the points upon which the truth of the proposition depends. This, then — finding the *main issues* — is the most important work of what is called the Introduction.

IMPORTANCE OF THE MAIN ISSUES

The importance of finding the main issues and keeping them constantly in mind was aptly suggested by O’Connell, when

he said that an orator should always know what he is aiming at, for when a man aims at nothing he is almost sure to hit it.

In law courts the main issues are sometimes set forth in the pleadings, before the debating begins. The method of the law court thus guards against talking beside the point; everything which has no evident bearing on one of the issues as stated in the briefs is at once excluded as irrelevant. In other forms of argumentation, to make the main issues clear and convincing is to guard against going astray.

The habit of searching beneath the surface for the central ideas, of weighing each contention with reference to all the others, and of giving just as careful and fair study to one side of the question as to the other, will help a man to hew to the line of his argument. Furthermore, it will help him to pull his opponents' argument to pieces on the spot, find what is relevant and what is not, determine what essentials are omitted, and thus hold his opponents to the issues which they must prove in order to establish their case.

This matter of the main issue is of universal application. There is a main issue in all the affairs of life. Success depends on directing effort toward that issue. Without the ability to analyze a given situation and discover the particular difficulty to be overcome, i.e., the main issue, a man may waste his energy in blind endeavor, like a fly trying to escape through a window. The fly bumps along from pane to pane until, by accident, it discovers the opening — the one direction in which its efforts can be used to some purpose. The aim of analysis is to economize effort, to find the opening intelligently rather than by the trial and error method of the fly.

One man works hard, and, we say, deserves success; while another man, apparently with little effort, attains success. The difference often lies in the sureness with which the effort is directed toward the desired end. One lawyer wearies the court all day in talking all *around the point* on which the legal

decision rests. Another lawyer spends all day in discovering that point, talks five minutes *to the point*, and wins the case. A thousand hard blows around a nail will not move it; one hard blow on the head will drive it in. The method of the main issue may be described as "hitting the nail on the head."

A successful argument — whether it is presented on a bill board, on a motion-picture screen, in the court-room, in the pulpit, or from behind a counter — must address itself to the main issues. The following advertising page from a recent magazine, if it achieved its purpose, must be an example of main issues discovered through successful analysis of a proposition to be proved: —

**AT SUNSET IN CHICAGO, 7.33 P.M. JUNE 17TH.
A GREAT OPPORTUNITY ENDS.**

The new ENCYCLOPÆDIA BRITANNICA will advance in price —

Because the war has forced up the cost of all raw materials.

It is the greatest of all reference works — 29 volumes, 30,000 pages, 41,000 articles, the work of 1500 experts, 15,000 pictures.

The entire set will be sent to you now for a first payment of only one dollar.

We guarantee your complete satisfaction — or your money back.

Fill in the order form below and mail it to-day.

The principles of argumentation are most clearly revealed through a study of rather formal types, but the same principles underlie all types. One manufacturer sinks thousands of dollars in useless advertising of a given food; another discovers the one thing that will sell it, hits that one thing on the

head with a catch phrase, and makes a fortune. One doctor does everything for his patient but reach the cause of the disease, and the patient dies; another doctor finds the cause, directs all his treatment to removing the cause, and the patient gets well. Politicians spend months in dickering with a dozen questions only superficially connected with the problem of an elastic currency. What endless bills, and speeches, and amendments, and compromises will they not make, while the country moves on to financial panic. A statesman probes to the heart of the matter, and devises an adequate system of Federal Reserve Banks.

A teacher may have high scholarship, earnestness, and character, and yet fail in his work with a given class. There is one obstacle to success: that obstacle is the hidden issue. Until he discovers it and directs his efforts to overcoming it, all his other qualifications are inadequate.

There is no problem, small or great, in all human affairs, which is beyond the scope of this study. "The gifted man is he who *sees* the essential point, and leaves all the rest aside in surplusage."

ISSUES MAY NOT BE CHOSEN ARBITRARILY

To prove the main issues is to establish the proposition; to disprove them is to overthrow the proposition. If the Introduction appears to be unprejudiced, and to set forth the issues clearly and fully, the audience will agree that any one who succeeds in presenting a preponderance of proof on these issues establishes his case. They cannot rationally withhold from him their verdict. He virtually says to them at the outset, "If I can prove these points, I can prove the proposition." He proceeds with his argument, making it clear along the way that he is doing just what he ought to do, to win. In the end he sums up what he has done, and rightfully expects the verdict.

If, on the other hand, a speaker arbitrarily selects certain

phases of a proposition, without satisfying his audience that he has chosen those phases on which for them the whole proposition hinges, he may accomplish all that he attempts, he may do it well, and yet lose the verdict. For, if he thus launches at once into the body of the argument, neglecting the preliminary analysis of the question, he may leave the audience objecting in the end, "How do we know that you have done all that is necessary to prove the proposition? Have you really taken up the important arguments on the other side? Why have you not dealt with the particular point that seems vital to us?" The objections may be easily answered, or they may have no effective bearing on the question, but if a speaker has failed to anticipate them and clear them away, they are fatal.

These main issues are independent of the will or skill of any individual; they are to be discovered by thorough study of the question, not selected to suit either side. But, in the work of convincing a particular group of persons, the relative importance of the issues to this group determines the selection and the emphasis to be placed upon them.

In preparing intercollegiate debates, men have said: "There are three speakers on the team; therefore we shall divide the question into three parts: one speaker will take the legal aspect, one the economic aspect, and one the moral aspect." The discovery of the main issues is no such easy matter. Neither is it possible to find a fixed number of issues of equal importance. Frequently one issue outweighs all the others. As an example, take the question whether the United States was justified in breaking diplomatic relations with Germany on account of her submarine warfare. Here the legal aspect overshadows all others. Again, in the question whether religion should be taught in public schools, the practicability of the plan is the paramount issue.

This arbitrary method of selecting issues for a formal team debate, therefore, may involve the following errors: (a) *in-*

venting topics for discussion which are not real issues; (b) ignoring one or more real issues; (c) confusing issues which should be kept distinctly separate, and (d) placing on the issues disproportionate emphasis.

ALL ARGUMENTS ON BOTH SIDES MUST BE CONSIDERED

As issues are points of controversy, they can be found only by placing the arguments held by one side against those held by the other side. Clearly, then, *all the issues can be found only by thus contrasting all the arguments of both sides.* In this study no relevant matter is too insignificant to deserve attention. A point that is overlooked may turn out to be the very point on which the whole case is won or lost. Without studying his opponents' contentions, a disputant may decide what he would like to prove; he may even discover the issues in which he has the advantage over his opponents; and yet not discover what he *must* prove.

This is not only the way to find the issues but the way to deserve the confidence of men. Why is the judgment of any person valued? "Because," says Mill, "he has kept his mind open to criticism of his opinion and conduct. Because it has been his practice to listen to all that could be said against him; to profit by as much of it as was just, and expound to himself, and on occasion to others, the fallacy of what was fallacious. Because he has felt that the only way in which a human being can make some approach to knowing the whole of a subject, is by hearing what can be said about it by persons of every variety of opinion, and studying all modes in which it can be looked at by every variety of mind. No wise man ever acquired his wisdom in any mode but this; nor is it the nature of human intellect to become wise in any other manner."¹

Lincoln's mind "ran back behind facts, principles, and all things, to their origin and first cause, — to that point where

¹ John Stuart Mill, *On Liberty*, chap. II.

forces act at once as effect and cause. He would stop in the street and analyze a machine. He would whittle a thing to a point, and then count the numberless inclined planes and their pitch making the point. . . . Before he could form an idea of anything, before he would express his opinion on a subject, he must know its origin and history in substance and quality, in magnitude and gravity. He must know it inside and outside, upside and downside. . . . He was remorseless in his analysis of facts and principles. When all these exhaustive processes had been gone through with, he could form an idea and express it, but no sooner. He had no faith and no respect for 'say so's,' come though they might from tradition or authority. Thus everything had to run through the crucible and be tested by the fires of his analytic mind."¹

"But how am I to find the issues," asks the debater, "when I do not know what my opponent will argue?" The answer is that it does not matter, for purposes of finding the issues, what your opponent may or may not say on the question. The issues are there irrespective of any opponent, and if you find them all, you will not be surprised by any relevant argument your opponent may present. If you have omitted no important contention on either side, the clash of opinion thus revealed will indicate all the main issues.

All the issues can be discovered only by a thorough study of both sides of the whole proposition in all its phases.

This process of resolving a proposition into its essential parts is sometimes called the analysis of the proposition.

STEPS IN ANALYSIS

The introductory work of finding the issues is *usually* assisted by setting forth a part or all of the following matters:—

- I. The Immediate Cause for Discussion.
- II. The Origin and History of the Question.

¹ Herndon and Weik, *Life of Lincoln*, vol. III, p. 594.

- III. The Definition of Terms.
- IV. The Restatement of the Question as Defined.
- V. The Exclusion of Irrelevant Matter.
- VI. The Statement of Admitted Matter.
- VII. The Main Contentions on the Affirmative contrasted with those on the Negative, and the Main Issues, reached through the Clash of Opinion thus revealed.

In finding the main issues, the order in which these steps should be taken depends on the nature of the question, the time, the audience, the purpose and other attendant circumstances. Moreover, it is sometimes unnecessary to take *all* these steps even in preparation, and it is *seldom* necessary to present *all* in the final argument. But whether or not the occasion demands the careful *exposition* of this process of discovering the issues, the writer or speaker must, in his own mind, go through this process before he can have a clear grasp of the whole question.

SPECIMEN OF ANALYSIS

The following introduction appears to have been admirable for the debate at Carleton College, in 1915, in which it was used, even though not all the steps in analysis were presented: —

The question of the control of the railroads has become a serious and important issue. Franklin K. Lane, Secretary of the Interior, once said that whoever owns the railroads of a country, determines very largely the future of that country, and nowhere is the truth of this statement better exemplified than it is in the United States. Our railroads control over one third of the mileage of the world, their employees number one out of twelve of our adult male population, the capital invested in them is estimated to represent one eighth of the wealth of the country, and their annual revenues are three times as great as those of the Federal Government. A system of such magnitude is capable of wielding a powerful influence, and may dangerously affect the business life of a country unless properly managed. Recognizing the close relation between the transportation lines and

the whole economic life of the people, the government of every civilized nation has found it necessary to interfere with the management of its railroads. In some countries, notably the United States, this has taken the form of regulation; in the majority of others, public regulation has been superseded by public ownership. To-day, seventy per cent of the mileage of the world, exclusive of the United States, is government owned and operated, and in our own country the trend toward government ownership is going steadily forward. Beginning with a mild form of regulation in 1887, we have found it necessary gradually to increase the power of the Interstate Commerce Commission, until now, President Ripley, of the Santa Fé Railroad, actually suggests that the Government regulate more stringently and guarantee to the railroads net earnings of six per cent. Obviously such a step is little short of government ownership. We believe that nothing but government ownership can prove a satisfactory solution of the railroad problem. In advocating its adoption to-night, we shall not attempt to prove that the present system is utterly bad or that government ownership would be faultless. We shall simply attempt to prove that government ownership will be better than private ownership. We shall show that there are certain inherent abuses in the system of private ownership which regulation cannot eradicate; that government ownership will remedy these abuses, without in turn promoting any serious evils of its own; and finally, that in certain other respects government ownership will be a desirable and expedient measure.

NO HARD-AND-FAST RULES

Sometimes the occasion demands no introduction. In the heat of a political campaign, an entire audience may be so concerned with a single issue that it would be futile for a speaker to talk on anything else, and they may be so familiar with the history and meaning of the question as to render explanation superfluous. The whole election in a town may hang on the appointment of a postmaster; the whole opposition to a candidate may be due to his vote on one measure; the very life of a city may depend on a single item in a protective tariff. Thus conditions may render any introduction unnecessary for the immediate purpose. Thus the writers of the argumentative editorials in Appendix X assumed that

their readers needed little or no preliminary exposition. The writer or speaker shows his skill, his knowledge of his audience, and his adaptation to circumstances by the nature and extent of his introduction. It is just as bad to weary the audience with unnecessary definition and analysis of the question as to confuse them by launching into the body of an argument before they are prepared to understand it. In argumentation, as in every other art, rules must be interpreted on the broad grounds of experience and common sense.

Remembering, therefore, that argumentation is an art which admits no hard and fast rules, applicable to all questions at all times in the introductory work of analysis, let us consider under what conditions these eight steps may be useful.

I. THE IMMEDIATE CAUSE FOR DISCUSSION

We mean by the Immediate Cause for Discussion the conditions or circumstances which make the question particularly interesting at the given time. This may or may not be the historical beginning of the controversy.

Setting forth the immediate cause for discussion may help to achieve two ends: to gain willing attention, and to make clear what the question involves at the time of discussion, — which may not be what it originally involved.

II. THE ORIGIN AND HISTORY OF THE QUESTION

The Origin and History of the Question gives a background for argument which frequently guards against extraneous matter and thus helps in finding the issues.

Furthermore, the introduction is a good place for setting forth such historical facts as may be used in the proof, for a knowledge of the history may be needed for an understanding of the argument; and one is more likely to accept, as unprejudiced, statements made by the writer before he has definitely taken sides on the question.

Here brevity and wise selection are demanded. Nearly all beginners give too much history, thus wasting time which they need later in the body of the argument. No more should be presented than is immediately necessary for an understanding of the question, or later necessary for purposes of conviction.

Consider, as an illustration, the proposition, "Resolved, that the white citizens of South Carolina are justified in the measures they have taken to secure political supremacy." We can make little progress until we ask, What is justice to the negro? The answer to this question depends, in turn, partly on the origin of the question, i.e., how there came to be a "negro problem" in the first place. In the exposition of this proposition, therefore, the origin of the question is important. Equally important is a knowledge of the historical events, toward the close of the last century, which originated the question of to-day, — "Should the Philippine Islands be granted independence?" The facts regarding the history of another question may prove unnecessary for a reader's comprehension of the argument. Even in such a case the study of these facts is, for the author, a valuable preparation.

Consider the question whether Minnesota should have a tonnage tax on iron ore. How did that question originate? Why cannot iron mines be taxed as other property on the basis of their value? An investigation would probably reveal the fact that it is next to impossible to estimate the amount of ore in the ground in any particular district; that this property of almost fabulous worth, acquired by its present owner at little original cost, is being rapidly taken out of the State without the State's receiving any seemingly adequate returns. A knowledge of these facts would make the discussion at once more interesting and more intelligible. A knowledge of the fact that bills providing for a tonnage tax have been several times introduced in the Minnesota Legislature, that one such bill passed both House and Senate and was vetoed by former

Governor John A. Johnson, would throw further light on the question.¹

In presenting the History of the Question, the writer must be fair. If there are conspicuous facts which make against his side, he must not suppress them. The omission of a significant historical fact may open his case to damaging exposure by his opponents. In the debates of 1859, Lincoln thus exposed Douglas:—

It is precisely upon that part of the history of the country that one important omission is made by Judge Douglas. He selects parts of the history of the United States upon the subject of slavery, and treats it as the whole, omitting from his historical sketch the legislation of Congress in regard to the admission of Missouri, by which the Missouri Compromise was established, and slavery excluded from a country half as large as the present United States. All this is left out of his history. And hence I ask how extraordinary a thing it is that a man who has occupied a position upon the floor of the Senate of the United States, who is now in his third term, and who looks to see the government of this whole country fall into his hands, pretending to give a truthful and accurate history of the slavery question in this country, should so entirely ignore the whole of that portion of our history — the most important of all.²

When Calhoun prepared an address for the United States Senate in 1850³ on the question, “How can the Union be preserved?” he first presented the Immediate Cause for Discussion and the Origin and the History of the Question. It is such an admirable piece of analysis and such an orderly presentation that it should be read as a whole.

I have, senators, believed from the first that the agitation of the subject of slavery would, if not prevented by some timely and effec-

¹ This illustration is given by H. B. Gislason in his admirable pamphlet on “Effective Debating.” (Bulletin of the University of Minnesota, General Series No. 14. April, 1914.)

² Lincoln’s *Complete Works*, vol. 1, p. 550. (The Century Company, New York, 1894.)

³ Speech of Senator Calhoun, read in the United States Senate, March 4, 1850.

live measure, end in disunion. Entertaining this opinion, I have, on all proper occasions, endeavored to call the attention of both the two great parties which divide the country to adopt some measure to prevent so great a disaster, but without success. The agitation has been permitted to proceed with almost no attempt to resist it, until it has reached a point when it can no longer be disguised or denied that the Union is in danger. You have thus had forced upon you the greatest and gravest question that can ever come under your consideration: How can the Union be preserved?

To give a satisfactory answer to this mighty question, it is indispensable to have an accurate and thorough knowledge of the nature and the character of the cause by which the Union is endangered. Without such knowledge it is impossible to pronounce with any certainty, by what measure it can be saved; just as it would be impossible for a physician to pronounce in the case of some dangerous disease, with any certainty, by what remedy the patient could be saved, without similar knowledge of the nature and character of the cause which produced it. The first question, then, presented for consideration in the investigation I propose to make in order to obtain such knowledge is: What is it that has endangered the Union?

To this question there can be but one answer, — that the immediate cause is the almost universal discontent which pervades all the States composing the Southern section of the Union. This widely extended discontent is not of recent origin. It commenced with the agitation of the slavery question and has been increasing ever since. The next question, going one step further back, is: What has caused this widely diffused and almost universal discontent?

It is a great mistake to suppose, as is supposed by some, that it originated with demagogues who excited the discontent with the intention of aiding their personal advancement, or with the disappointed ambition of certain politicians who resorted to it as the means of retrieving their fortunes. On the contrary, all the great political influences of the section were arrayed against excitement, and exerted to the utmost to keep the people quiet. The great mass of the people of the South were divided, as in the other section, into Whigs and Democrats. The leaders and the presses of both parties in the South were very solicitous to prevent excitement and to preserve quiet; because it was seen that the effects of the former would necessarily tend to weaken, if not destroy, the political ties which united them with their respective parties in the other section.

Those who know the strength of party ties will readily appreciate

the immense force which this cause exerted against agitation and in favor of preserving quiet. But, great as it was, it was not sufficient to prevent the widespread discontent which now pervades the section.

No; some cause far deeper and more powerful than the one supposed must exist, to account for discontent so wide and deep. The question then recurs: What is the cause of this discontent? It will be found in the belief of the people of the Southern States, as prevalent as the discontent itself, that they cannot remain, as things now are, consistently with honor and safety, in the Union. The next question to be considered is: What has caused this belief?

One of the causes is, undoubtedly, to be traced to the long-continued agitation of the slave question on the part of the North, and the many aggressions which they have made on the rights of the South during the time. I will not enumerate them at present, as it will be done hereafter in its proper place.

There is another lying back of it — with which this is intimately connected — that may be regarded as the great and primary cause. This is to be found in the fact that the equilibrium between the two sections in the government as it stood when the Constitution was ratified and the government put in action has been destroyed. At that time there was nearly a perfect equilibrium between the two, which afforded ample means to each to protect itself against the aggression of the other; but, as it now stands, one section has the exclusive power of controlling the government, which leaves the other without any adequate means of protecting itself against its encroachment and oppression.

The legislation by which it has been effected may be classed under three heads: The first is that series of acts by which the South has been excluded from the common territory belonging to all the States as members of the federal Union — which have had the effect of extending vastly the portion allotted to the Northern section, and restricting within narrow limits the portion left the South. The next consists in adopting a system of revenue and disbursements by which an undue proportion of the burden of taxation has been imposed upon the South, and an undue proportion of its proceeds appropriated to the North. And the last is a system of political measures by which the original character of the government has been radically changed. . . .

Having now, senators, explained what it is that endangers the Union, and traced it to its cause, and explained its nature and character, the question again recurs, How can the Union be saved? To this I answer, there is but one way by which it can be, and that is by

adopting such measures as will satisfy the States belonging to the Southern section that they can remain in the Union consistently with their honor and their safety. There is, again, only one way by which this can be effected, and that is by removing the causes by which this belief has been produced. Do this, and discontent will cease, harmony and kind feelings between the sections be restored, and every apprehension of danger to the Union removed. The question, then, is, How can this be done? There is but one way by which it can with any certainty; and that is by a full and final settlement, on the principle of justice, of all the questions at issue between the two sections. The South asks for justice, simple justice, and less she ought not to take. She has no compromise to offer but the Constitution, and has no concession or surrender to make. She has already surrendered so much that she had little left to surrender. Such a settlement would go to the root of the evil, and remove all cause of discontent, by satisfying the South that she could remain honorably and safely in the Union, and thereby restore the harmony and fraternal feelings between the sections which existed anterior to the Missouri agitation. Nothing else can, with any certainty, finally and forever settle the question at issue, terminate agitation, and save the Union.

In attempting to set forth the meaning of the terms of a proposition through reference to the Origin and History of the controversy, one must make sure that his information is up-to-date. Otherwise he may give to the terms an interpretation which they no longer have in actual use. An illustration was furnished by a debate between the Universities of Michigan and Wisconsin. The proposition was, "Resolved, that a commission should be given the power to fix railroad rates." The question at once arose, What does it mean "to fix railroad rates"? Wisconsin held that fixing rates meant the substitution of a definite rate for the rate complained of. Michigan held that fixing rates meant the substitution, not of a definite rate, but of a maximum rate. The latter definition prevailed, because Michigan showed that their opponents' interpretation was based on the Esch-Townsend bill of 1904, while their interpretation was based on the Dolliver bill of 1906. Within two years the meaning of the proposition for

debate, as actually under discussion in Congress, had changed. For purposes of analysis, one must obtain the latest information available.

III. THE DEFINITION OF TERMS

The instance just discussed shows that the definition of terms is of great importance. Unless disputants understand the meaning attached by each other to the terms of a controversy, they may worry along indefinitely without making progress. The contending parties may think they agree on the proposition, when their apparent agreement is due to ambiguity in the use of the terms. On the other hand, the contending parties may quarrel over imaginary disagreements concerning ideas, when in fact they are merely confused as to the meaning of words. Disputes which seem interminable are sometimes ended abruptly and happily upon the accidental discovery that the parties in dispute agreed all the time as to the real questions at issue, while neither side understood what the other side meant. The introductory work in argumentation aims to make such happy discoveries scientific rather than accidental. This is one reason why a person who is skilled in debate is seldom known as contentious. He swiftly clears away the confusion due to words and exposes the vital differences as to ideas. If there are no such differences, he exposes the hollowness of the controversy and thus makes an end of it.

In a New England town meeting the question arose whether the town should be incorporated as a city. "I am against it," cried one man, "for it is well known that country life is healthier than city life." Confusion of this kind in the use of terms is exceedingly common, though seldom so evident.

Macaulay, in opening his speech "On the Repeal of the Union with Ireland," exposed a confusion due to lack of definition of terms. Two members of Parliament thought they agreed on the question at issue, whereas the apparent

agreement was due to the fact that they were using the word "redress" in two meanings: —

Redress is no doubt a very well sounding word. What can be more reasonable than to ask for redress? What more unjust than to refuse redress? But my honorable friend will perceive, on reflection, that, though he and the honorable and learned member for Dublin agree in pronouncing the word redress, they agree in nothing else. They utter the same sound; but they attach to it two diametrically opposed meanings. The honorable and learned member for Dublin means by redress simply the Repeal of the Union. Now, to the Repeal of the Union my honorable friend the member for Lincoln is decidedly adverse. When we get at his real meaning, we find that he is just as unwilling as we are to give the redress which the honorable and learned member for Dublin demands.

REQUISITES OF A DEFINITION

Four requisites for clearness in defining are worth remembering, not only for purposes of argumentation, but as well for clear thinking at all times: —

1. A definition should cover all cases or individuals properly included under the term defined.
2. A definition should exclude all cases or individuals not properly included under the term defined.
3. A definition should be expressed, if possible, in terms simpler and more familiar than the term that designates the defined object.
4. A definition should not employ the term to be defined or any word derived from it.

Such are the requisites for clearness in defining. But for purposes of argumentation, clearness in defining is not always sufficient. "As a matter of fact, there are several purposes of definition, several different reasons why we may want a word's meaning stated; and among these a broad division into two kinds should always be kept in view. Sometimes in asking for a definition we want to know in general what is the meaning of a word, how it is used or how it ought to be used in most of

its possible contexts, — for instance, what is the most widely accepted meaning, or the most convenient meaning for general purposes, or the meaning accepted by the best authorities, or the meaning most historically accurate, most prominent at the time when the word was first invented or adopted. Sometimes, on the other hand, none of these questions is asked, but the questioner's whole desire is to discover how the word is used in some assertion where he finds it ambiguous, and so to get the ambiguity removed. Both these processes are commonly called definition, and the information we get in answer to either kind of question has a certain value. But there is a real difficulty in remembering — what is evident enough when we think about it — that an answer which is valuable for the former purpose may have (on a particular occasion) not the smallest value for the latter. 'The general' definition may give you no hint as to the way in which a particular assertion is meant to be interpreted."¹

In formal debate a definition must have two qualities: it must be clear, and it must be satisfactory to the persons addressed. They must know what the speaker means, and they must be convinced that his meaning is the correct one, — correct for that particular proposition at the time and place and under the conditions of that particular debate. Otherwise, they may object in the end that he has proved, not the given proposition, but another which he has substituted for it by means of arbitrary definitions.

INADEQUACY OF DICTIONARY DEFINITIONS

Argument seldom deals with terms for which dictionary definitions are clear and convincing. Such terms as "compulsory powers," "property rights," "direct taxes," "diplomatic means," "railroad pooling," "proportional representation," and "simplified spelling," must be defined as applied to

¹ Alfred Sidgwick, *The Use of Words in Reasoning*, p. 42. (A. & C. Black, London, 1901.)

particular propositions. But dictionaries cannot thus define terms, for the particular meaning of a term, in a given proposition, at a given time, often depends on the *context* and on *current events*, both of which the dictionary necessarily ignores.

To define is to select essential features. But before we are competent to determine which of the properties are essential, those which really differentiate the thing to be defined from all other things, we must be familiar with the properties. In a question for debate, therefore, we can rarely begin our investigations with other than tentative definitions. Further study will modify these definitions. Not until we gain a thorough knowledge of the subject can we be sure that our definitions are clearly appropriate for that particular subject.

The terms of a proposition usually have a special or technical significance closely related to the particular proposition. In such cases, the *general* meaning of a term, as given by an ordinary dictionary, is of little use. The question, for example, whether state boards of arbitration, with compulsory powers, should be established in all the United States for the purpose of settling labor disputes, cannot be interpreted by dictionary definitions. The team which used this method in an intercollegiate debate on this question failed to convince. The other team saw that the whole meaning of the proposition was involved in the technical definition of the phrase "with compulsory powers." Accordingly they carefully examined all the legislative acts establishing state boards of arbitration, and all the legal decisions regarding the powers of such boards, in order to determine what the phrase actually means when legally employed with reference to the *particular* question for debate. With this testimony from authority, they convinced the judges that their interpretation of the question was correct.

Take, as another example, the proposition, "A Franco-American alliance would be for the best interests of the United States." If one should try to interpret this proposition

by means of a dictionary, he would find the general definition of "alliance" — "The state of being allied" — of no use whatever; and the special definition — "union between nations, contracted by a compact, treaty, or league" — would be little better. The dictionary merely presents the old difficulty under a new name.

In the question, "Is the large college preferable to the small college?" the meanings of the words "large" and "small" depend on the context. Of what use are dictionaries for defining even such common words when they are applied to colleges? Of what use are they in defining the fundamental idea of the question, not even expressed, namely, the aim of college education?

Suppose we had to define the "educational value" of a subject. We should discard the general dictionary definitions of these words, and turn at once to an authority on education. We might find the following, offered by Professor Paul H. Hanus: —

By the educational value of a subject, I mean its efficacy in promoting the realization of the aim of education. The aim of education is to prepare for complete living. To live completely means to be as useful as possible and to be happy. By usefulness is meant service, i.e. any activity which promotes the material or the spiritual interests of mankind, one or both. To be happy one must enjoy both his work and his leisure.¹

Take another example. "Has the Massachusetts Board of Arbitration and Conciliation settled a sufficient number of strikes to warrant its continuance?" We must first ask, What is a sufficient number? And this question the general definitions of dictionaries cannot answer.

Invaluable as are dictionaries for other purposes — and they are studied far too little — their definitions have two main faults for purposes of debate: (1) The terms of many propositions are significant only in relation to current events,

¹ Paul H. Hanus, *Educational Aims and Educational Values*, p. 5.

which are beyond the scope even of the latest dictionaries. (2) The correct interpretation of any term of a proposition — such as *justifiable*, *best interests*, *benefit*, *advantageous*, *legitimate* — usually depends to a considerable extent on the context. This the dictionary is obliged to disregard, and so furnishes a definition which is too general for the particular purpose. Too many definitions for one word are offered by the ordinary dictionary, since it attempts to cover all uses of the word. Defining for the purposes of a dictionary is a collective process; defining for the purposes of argumentation is a selective process.

SPECIAL METHODS OF DEFINITION

A dictionary definition is at best but a nucleus or core, which for purposes of argumentation must be supplemented and amplified and explained. The most important method is by authority.

i. Definition by authority. An appeal to a dictionary for the meaning of a word is an attempt to define by authority, and for general purposes the general definitions of the dictionary suffice. But, as we have seen, the special purposes of argumentation require special authorities.

Suppose the question reads, "Should state funds be appropriated for the support of sectarian institutions of learning?" Clearly, the one word which needs definition is "sectarian." Now, since it happens that an apparently impartial body of men has taken great care in defining this term as applied to institutions of learning, and since on the basis of their definition the income of millions of dollars is being appropriated, and since, finally, no counter-definition has been authoritatively offered, one can do no better than to define "sectarian," for the purposes of the above question, in the words of the Carnegie Foundation for the Advancement of Teaching.

Wharton's definitions of the terms connected with criminal evidence and John Hay's definition of an "alliance" between

nations are satisfactory. The United States Commissioner of Education is good authority as to the meaning of the term "secondary education." In the defense of Lord George Gordon by Lord Erskine, the whole case hinged on the definition of high treason. Lord Erskine established by authority the definition which won the case.¹ This method of definition is good whenever a man can be found who is accepted by the audience as authority on the particular question.

Less important in argumentation, but sometimes almost indispensable, are the methods of definition by (2) Negation, (3) Exemplification, (4) Etymology, (5) Explication.

2. Definition by negation. Definition by negation, that is, by showing what a term is not, is particularly useful whenever there is special danger of confusion between the real meaning of the term to be defined and a particular spurious meaning.

Burke thus defined "peace" by the method of negation: —

The proposition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to arise out of universal discord fomented, from principle, in all parts of the Empire; not peace to depend on the juridical determination of perplexing questions, or the precise marking the shadowy boundaries of a complex government. It is simple peace; sought in its natural course, and in its ordinary haunts. It is peace sought in the spirit of peace, and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the former unsuspecting confidence of the Colonies in the Mother Country, to give permanent satisfaction to your people; and (far from a scheme of ruling by discord) to reconcile them to each other in the same act and by the bond of the very same interest which reconciles them to the British Government.

Woodrow Wilson, in his address before the Senate of the United States, January 22, 1917, helped to make clear his proposal of "peace without victory" by setting forth the meaning of "peace with victory": —

¹ See G. P. Baker, *Specimens of Argumentation*, pp. 92-98.

First of all, it must be a peace without victory. It is not pleasant to say this. I beg that I may be permitted to put my own interpretation upon it and that it may be understood that no other interpretation was in my thought. I am seeking only to face realities and to face them without soft concealments. Victory would mean peace forced upon the loser, a victor's terms imposed upon the vanquished. It would be made in humiliation, under duress, at an intolerable sacrifice and would leave a sting, a resentment, a bitter memory upon which terms of peace would rest, not permanently, but only as upon quicksand.

Only a peace between equals can last; only a peace the very principle of which is equality and a common participation in a common benefit. The right state of mind, the right feeling between nations, is as necessary for a lasting peace as is the just settlement of vexed questions of territory or of racial and national allegiance.

3. Definition by exemplification. The selection of an individual to represent the whole is a valuable means of explanation. An example in exposition is like a specimen in science. "The obvious utility of exemplification, to translate from abstract to concrete, is seen in the extensive use of pictures and models, in the quoted sentences appended to definitions of words in dictionaries and the like. . . . Two qualities should be had in mind, in choosing an example. First, its embodiment of the idea or property in question should be salient and striking, as it is selected for this particular thing. Secondly, it should be as pure and typical as possible, and as free from extraneous or exceptional elements. . . . Especially in exemplifying intricate subjects, it is advisable to illustrate, as far as may be, *one thing at a time*; an example may easily be confused by being too complex."¹

The value of an example depends on the fact that in definition, as in every other phase of our work, the concrete is much more effective than the abstract. Having proceeded to this point in our exposition of the principles of argumentation largely by means of examples, we need not stop here to add others.

¹ J. F. Genung, *The Working Principles of Rhetoric*, p. 565. (Ginn & Co.)

4. Definition by etymology. The meaning of a term may sometimes be made clear through its derivation. Thus, by reference to the Greek, "antithesis" is remembered as the *setting over against* each other of contrasted ideas. But it is not safe to assume that the etymological meaning of a word is the one in common use to-day, much less that it is the meaning which the word must have in a given proposition. It is wrong to argue, as many men have argued, that because the word "education" is derived from *educere*, which means to draw forth, therefore education should be a drawing forth of what is in the student. The derivation of a term may help to make clear a definition otherwise acceptable, but the derivation is not sufficient to make the definition acceptable.

5. Definition by explication. In defining the terms of a proposition by explication, we enlarge upon its bare statements, making clear just what is involved or implied, and directing attention to those attributes of the terms defined which are of especial significance in connection with the particular proposition.

This kind of exposition may of course be applied, by way of simplification, to one's own statements, but oftenest it deals with the thought of others. In this latter case it takes upon itself all the obligations implied in dealing fairly. Not only sound criticism but common justice depends on this. The interpretation of another's thought is too momentous a thing to be trusted, as it too prevailingly is, to vague and general impressions. The thought must be treated with all the respect due to a man's personal possessions. According to the need therefor, it must be — as the derivation of the word explication suggests — unfolded, unwoven; and in this idea is connoted not only the general process but the patience, the candor, the honesty requisite to disengage the author's real thought from the close-plaited, idiosyncratic, not seldom complex web of his expression.¹

Observe with what care and justice Lincoln, in his address at Cooper Institute, New York, in 1860, unfolded the statement of an opponent by explication: —

¹ J. F. Genung, *The Working Principles of Rhetoric*, p. 578. (Ginn & Co.)

MR. PRESIDENT AND FELLOW-CITIZENS OF NEW YORK: — The facts with which I shall deal this evening are mainly old and familiar; nor is there anything new in the general use I shall make of them. If there shall be any novelty, it will be in the mode of presenting the facts, and the inferences and observations following that presentation. In his speech last autumn at Columbus, Ohio, as reported in the *New York Times*, Senator Douglas said: —

“Our fathers, when they framed the government under which we live, understood this question just as well, and even better, than we do now.”

I fully indorse this, and I adopt it as a text for this discourse. I so adopt it because it furnishes a precise and an agreed starting-point for a discussion between Republicans and that wing of the Democracy headed by Senator Douglas. It simply leaves the inquiry: What was the understanding those fathers had of the question mentioned?

What is the frame of government under which we live? The answer must be, “The Constitution of the United States.” That Constitution consists of the original, framed in 1787, and under which the present government first went into operation, and twelve subsequent framed amendments, the first ten of which were framed in 1789.

Who were our fathers that framed the Constitution? I suppose the “thirty-nine” who signed the original instrument may be fairly called our fathers who framed that part of the present government. It is almost exactly true to say they framed it, and it is altogether true to say they fairly represented the opinion and sentiment of the whole nation at that time. Their names, being familiar to nearly all, and accessible to quite all, need not now be repeated.

I take these “thirty-nine,” for the present, as being “our fathers who framed the government under which we live.” What is the question which, according to the text, those fathers understood “just as well, and even better, than we do now”?

It is this: Does the proper division of the local from Federal authority, or anything in the Constitution, forbid our Federal government to control as to slavery in our Federal Territories?

Upon this, Senator Douglas holds the affirmative, and Republicans the negative. This affirmation and denial form an issue; and this issue — this question — is precisely what the text declares our fathers understood “better than we.” Let us now inquire whether the “thirty-nine,” or any of them, ever acted upon this question; and if they did, how they acted upon it — how they expressed that better understanding.

We have objected to the use of such general terms as "cultured," "patriotic" and "un-American," unless they are carefully defined. In the following editorial from *The Survey*, the intended meaning of the general term "un-American" is unfolded by explication before the term is used: —

The overwhelming vote by which the Senate passed the Immigration Bill, 64 to 7, will rejoice the hearts of those who hope to see it passed over the President's veto. In its form it is even worse than when Mr. Wilson vetoed it the last time, for it has a vicious clause aimed at the Hindus. Under its provisions George Washington and other Revolutionary patriots would have to be excluded were they, reëmbodied, to seek admittance to our shores. It denies the right of asylum to political refugees of the kind that the United States has, heretofore, ever delighted to honor. A new Garibaldi, or Kossuth, would be refused permission to enter this country. The bill imperils the international situation, so far as our relations with Japan are concerned. Indeed, in almost every aspect it is un-American.¹

IV. THE RESTATEMENT OF THE QUESTION AS DEFINED

If the process of definition has necessarily been long and involved, it is well to restate the question, supplying the clearer, simpler, and more explicit terms, and throwing stress on those characteristics which the immediate cause for discussion and the origin and history of the question and the definitions have shown to be most important for the particular proposition.

V. THE EXCLUSION OF IRRELEVANT MATTER

Irrelevant matters should be excluded from the issues and from the argument proper whenever there is danger of mistaking them for real issues. It is well to show clearly what you are *not* obliged to do in order to establish your case, and what you do *not* purpose to do, whenever your audience may expect you to do more than is necessary. A debating team, favoring the establishment of state boards of arbitration for

¹ *The Survey*, December 21, 1916.

settling labor disputes, found it necessary to insist that they did not advocate such boards as cures for all industrial evils. They held merely that such boards would do enough good to justify their maintenance. The members of the Simplified Spelling Board have had to insist, year after year, that they do not advocate "phonetic spelling" or "spelling as you please," but a definite list of improved notations to replace certain "cherished accidents of time." Almost every proposition suitable for argument has associated with it, in common thought but not vitally, various confusing matters. On these the truth or falsity of the proposition does not hinge; therefore they are not issues. Narrowing the question down to the main issues is chiefly a matter of excluding these extraneous, that is to say irrelevant, matters.

Burke adopted this method in the following paragraph:—

The question is not now, whether the law ought to acknowledge and protect such a state of life as minority, nor whether the continuance, which is fixed for that state, be not improperly prolonged in the law of England. Neither of these in general is questioned. The only question is, whether matrimony is to be taken out of the general rule, and whether the minors of both sexes, without the consent of their parents, ought to have a capacity of contracting the matrimonial, whilst they have not the capacity of contracting any other engagement.¹

Associated more or less remotely with every question are these various matters which are apparently but not really germane. The by-paths from the open field of discussion are so easy, so alluring, so broad, that the untrained mind can never long resist the tendency to go astray. One object of determining the issues at the outset is to inclose the field of relevant discussion, as with a high hedge, to prevent escape into other fields. Or, to change the figure, the issues, like the rules of football, attempt to fix the opposite goals of the contending teams and to determine the boundaries of the contest.

¹ Burke, p. 402. (J. Duffy, London, 1871.)

All effort to advance the ball beyond the gridiron is wasted, as is all effort to carry the debate beyond the issues.

A writer should not take this step in analysis, or any other step, unless it is really needed. In the following section of an Introduction, parts B, C, D, and E do not refer to any real difficulties. These four parts state only what is clear enough in the proposition, as phrased. Part F should be excluded from the Introduction because it is argument. Only part A is worth including: it warns against a real danger.

Resolved: That the annexation of Canada by treaty with Great Britain would be economically advantageous to the United States.

INTRODUCTION

IV. We can limit our argument somewhat, in that

- A. Any argument as to the possibility of annexation, devolving upon the desire of the United States and Canada for annexation and upon the willingness of Great Britain to give up Canada, is extraneous, in that
 1. Our discussion is on the advantages and not at all on the possibility of annexation.
- B. Any argument where annexation is considered on any other than a treaty basis is extraneous, in that
 1. Our discussion is on an express treaty basis.
- C. Any argument regarding possible Canadian Independence or Imperial Confederation is extraneous, in that
 1. Our question deals with the advantages to the United States only.
 2. Canadian Independence could not benefit the United States.
 3. Imperial Confederation, which looks to one all-powerful central government to include Great Britain and all her dependencies, could not benefit the United States.
- D. All other arguments regarding advantages to Canada are extraneous, in that
 1. They are entirely outside of our discussion.
- E. All arguments as to social or political advantages are extraneous, in that
 1. Our question deals with the economic advantages only.

F. Any argument against the assumption that our protective tariff policy will be maintained is extraneous, in that

1. It must be admitted that all indications point to its maintenance, in that
 - a. Trade statistics show that since 1861 our policy has continued to be protective.
 - b. The people desire protection, in that
 - i. Since 1861 they have always elected a majority of Republicans in the Senate.
 - ii. The Senate virtually controls our trade policy.

Only when there is *special* danger of wandering astray should the danger be pointed out in the introduction. In the question whether High License is preferable to Prohibition, the tendency to fly from the real issues is great. Advocates of Prohibition often fail to distinguish between the question of the relative worth of temperance and drunkenness, and the question of the relative merits of methods for controlling the liquor traffic. To be sure, a close relation exists between the two questions. There lies the danger. But all discussion concerning the moral value of temperance and the curse of drunkenness is of no avail when the question asks merely what method of controlling the liquor traffic most conduces to temperance.

This exclusion of irrelevant matter is, as we shall see later, a wise precaution against various forms of faulty argument known as Ignoring the Question.

VI. STATEMENT OF ADMITTED AND WAIVED MATTER

We cannot construct an argument on any question without separating the disputable part from the indisputable part, the mere matters of opinion from what may be regarded as matters of fact. No argument is possible without an admitted basis of fact. Usually we separate these admitted facts from the contested issues more or less vaguely in our own minds; but, for formal argument of any kind, the admitted matter should be stated in the introduction as definitely and as fully as the question demands.

The admitted matter is thus at once excluded from the issues, although *not excluded from the argument*. In this respect the admitted matter differs from the extraneous matter, for the latter is ruled out of both the issues and the argument. A skillful debater usually admits and uses to his own profit some of the opposing arguments. All the facts which have any important bearing on the issues and which may be granted should be set forth in the introduction, and held ready for use in the body of the argument.

Webster, in his speech *In Reply to Hayne*, thus distinguished between the question at issue and the points he was willing to admit:—

I understand the gentleman to maintain that it is constitutional to interrupt the administration of the Constitution itself, in the hands of those who are chosen and sworn to administer it, by the direct interference, in form of law, of the states, in virtue of their sovereign capacity. The inherent right in the people to reform their government I do not deny; and they have another right, and that is to resist unconstitutional laws, without overturning the government. It is no doctrine of mine that unconstitutional laws bind the people. The great question is, Whose prerogative is it to decide on the constitutionality or unconstitutionality of the laws? On that the main debate hinges. ·

Sometimes there are debatable matters which cannot be ruled out of the argument as extraneous, nor ruled out of the issues as admitted, but which a disputant is willing, nevertheless, to grant merely for the purposes of a given discussion. Such points are called waived matters.

The rule of politicians seems to be, "Admit nothing; claim everything." But men who rely on argument rather than on trickery should have quite the opposite rule, "Admit everything that you can safely admit; claim nothing that you cannot approximately prove." Go with your opponents as far as you can. Remember that, after the analysis of the question, the truth is to be found ultimately through the synthesis of apparently conflicting arguments. Take over and use as

much as possible of your opponents' case. An advocate gains rather than loses by evident willingness to give due weight to the arguments of his opponents. Concessions of this kind are persuasive. Thus Curran, in the defense of Patrick Finney, who was charged with high treason, admitted at the outset a part of the case of the Attorney-General who was conducting the prosecution:—

Mr. Attorney-General has been pleased to make an observation which drew a remark from my colleague with which I fully agree, that the atrocity of a charge should make no impression on you. It was the judgment of candor and liberality. . . .

I confess I cannot conceive a greater crime against civilized society, be the form of government what it may, whether monarchial, republican, or, I had almost said despotic, than attempting to destroy the life of the person holding the executive authority; the counsel for the Crown cannot feel a greater abhorrence against it than I do; and happy am I, at this moment, that I can do justice to my principles, and the feelings of my heart, without endangering the defense of my client.

Admit all that you can safely admit, but no more. The admission of a point which you cannot afford to admit may be damaging; it may even be fatal. You cannot safely admit anything unless you appreciate its bearing on all the issues of the question. Debates and cases at law, otherwise strong, have been lost through the careless admission of seemingly minor points. In a debate at Harvard College, the last speaker in rebuttal for the negative showed clearly that an affirmative speaker had unwittingly conceded a point which proved the falsity of the proposition he was supposedly defending. Having exposed this damaging admission in one minute, the speaker presented his remaining four minutes to the other team, and concluded by saying, "Such an admission renders any further argument on our side unnecessary, and on the other side futile."

Webster, in the White murder trial, turned against the opposing lawyers a point which they had unwisely admitted:—

The counsel say that they might safely admit that Richard Crowninshield, Jr., was the perpetrator of this murder.

But how could they safely admit that? If that were admitted, everything else would follow. For why should Richard Crowninshield, Jr., kill Mr. White? He was not his heir, nor his devisee; nor was he his enemy. What could be his motive? If Richard Crowninshield, Jr., killed Mr. White, he did it at some one's procurement who himself had a motive. And who, having a motive, is shown to have had any intercourse with Richard Crowninshield, Jr., but Joseph Knapp, and this principally through the agency of the prisoner at the bar? It is the infirmity, the distressing difficulty of the prisoner's case, that his counsel cannot and dare not admit what they yet cannot disprove, and what all must believe. He who believes, on this evidence, that Richard Crowninshield, Jr., was the immediate murderer, cannot doubt that both the Knapps were conspirators in that murder. The counsel, therefore, are wrong, I think, in saying they might safely admit this. The admission of so important and so connected a fact would render it impossible to contend further against the proof of the entire conspiracy, as we state it.

The steps in analysis are used in all forms of discourse, though with no mention of technical terms. The following editorial from *The Nation*, for example, presents the immediate cause for discussion, definition of the proposition by negation, admitted matter and origin of the question:—

SPECIMEN OF ANALYSIS

STEPS LEADING TO THE STATEMENT OF THE ISSUES

“Should the Federal Government license automobile drivers?”

The proposal to have the Federal Government license automobile drivers comes before Congress for the first time in the form of a bill drafted by the counsel of the National Association of Automobile Manufacturers and the Chairman of the Legislative Committee of the American Automobile Association. It is not proposed to create a separate class of federally licensed cars, but merely to allow those in the State already taking out permits of ownership, to obtain certificates entitling them to make interstate journeys. The Federal Government is appealed to, therefore, not to save the automobilist from over-draastic state laws, but to spare him the vexation of having to take out new licenses in every State he visits. The state legisla-

tion, as the author of the proposed law acknowledges in a recent compilation of the various automobile statutes, "on the whole has been fair and reasonable, and seldom do we find evidence of hostility carried to excess in any of the legislative enactments." But the States are not hospitable to the automobiles of their neighbors. No interstate boundary line, we presume, is crossed by so many automobiles as that between New York and New Jersey, yet New Jersey is inflexible in refusing to give credit to her next-door neighbor's licenses. The state laws differ widely in their requirements. Some States require all cars to be equipped with mufflers, some do not. Some allow cities, counties, and villages to make regulations of their own, some prohibit local legislation. A New York owner may keep the registration numbers of other States fastened to the rear of his machine; a Massachusetts owner at home must remove all but that of his own Commonwealth. A motor bicycle is an automobile in Indiana, though a traction engine is not; both are automobiles in New Jersey, neither in New York. And so it goes.¹

VII. REACHING THE SPECIAL ISSUES BY CONTRASTING THE CONTENTIONS OF AFFIRMATIVE AND NEGATIVE

After the meaning of the proposition has thus been set forth with clearness and precision, and with satisfaction to the audience, and after the extraneous matters have been ruled out and the admitted matters stated (as far as these steps are useful in a given case), the next step is the terse, impartial, and complete enumeration of the arguments which may be held on the affirmative, and those which may be held on the negative. The Clash of Opinion thus presented will reveal, as we have seen, the issues of the proposition.

The main issues are the controversial points which, if proved, directly support the proposition. The subordinate issues are the controversial points which, if proved, indirectly support the proposition by directly supporting the main issues.

There is no other way of expounding a proposition, and until a proposition is expounded, it cannot be proved. "The essence of the dialectic method," according to Bain in an

¹ *The Nation*, December 12, 1907.

Essay on Early Philosophy, "is to place side by side with every doctrine and its reasons, all opposing doctrines and their reasons, allowing these to be stated in full by the persons holding them. No doctrine is to be held as expounded, far less proved, unless it stands in parallel array to every other counter theory, with all that can be said for each."

Below is set forth in parallel columns the Clash of Opinion on the question whether the elective system should be adopted by public high schools in the United States. (The Introduction to the argument is printed in full in Appendix V.) It is clear that the four main issues grow directly out of the opposing main arguments which are here set side by side,¹ and that the subordinate issues grow directly out of the opposing subordinate arguments.

SPECIMEN CLASH OF OPINION

Affirmative Contentions

The elective system should be adopted in the public high schools of the United States, for

- I. Each high school pupil is better able to choose for himself than are the school authorities for all, for
 - A. There are no studies essential for all.
 - B. Pupils do not seriously neglect the studies most often called essential.
 - C. There are many safeguards which inhibit foolish elections.

Negative Contentions

The elective system should not be adopted in the public high schools of the United States, for

- I. Those in charge of public high schools can choose better for all than can each pupil for himself, for
 - A. There are certain studies essential for all pupils.
 - A'. Pupils will not elect these studies.
 - B. Pupils will choose foolishly.

¹ For other Clashes of Opinion, see Webster's *Reply to Calhoun*, February 16, 1833; and Huxley's *First Lecture on Evolution*. See also the specimen briefs in the third chapter and the specimens in Appendices I, II, IV, VI, VII, and XII.

- II. No other plan is as satisfactory as the elective system.
 - A. The group system is too rigid.
 - B. A partially elective system is insufficient.
- III. The elective system is superior because it stimulates teachers to do better work.
- IV. The elective system is strongest for building character because it honors the will and trains in free choice.
- II. There are compromises superior to the elective system.
 - A. The group system gives better-balanced programs of study.
 - B. A partially prescribed system is superior.
- III. The elective system is objectionable because it prompts teachers to make their courses easy.
- IV. The prescribed system is of greater moral worth because it enforces disagreeable tasks.

MAIN ISSUES RESULTING FROM THE ABOVE CLASH OF OPINION

- I. Can each high-school pupil choose better for himself or school authorities for all?
 - (which depends on the subordinate issues.)
 - (a) Are any studies essential for all high-school pupils?
 - (b) Will pupils with free choice seriously neglect these studies?
 - (c) Are the safeguards of the elective system sufficient to prevent foolish choices?
- II. Is there any other plan as satisfactory as complete election?
 - (a) Is the group system as satisfactory?
 - (b) Is a system of partial elections as satisfactory?
- III. Is the elective system superior to any other in its effect on teachers?
- IV. Do the moral benefits of free choice claimed for the elective system outweigh the moral benefits of drudgery claimed for the prescribed system?

Not all clashes of opinion work out so symmetrically. It often happens that a main contention of one side is met by the other side only with the contention that it is relatively unimportant. There is then no clash on that point, but a difference of opinion concerning its significance as compared with other points.

Each of the four issues above raises the question of the advantages of one plan contrasted with the advantages of another plan. As debates are almost always concerned with matters of policy, the main issues, if properly stated, usually contrast opposing policies. The *main* questions are not whether the proposed plan will do any good, whether it involves dangers, whether it will be difficult to administer, whether it will require large appropriations, etc., — but whether, in each particular, the proposed plan is better or worse than some other plan. The “other plan” must be kept to the front: only with reference to its benefits, dangers, difficulties, and expense can the proposed plan be defended.

The following issues are therefore unsatisfactory: —

SPECIMEN OF FAULTY ANALYSIS

Resolved: That all telegraph lines in the United States should be owned and operated by the Government.

ISSUES

1. Would rates be cheap?
2. Would the cost of acquisition be such as to prevent the undertaking?
3. Would rates, if cheaper, be counterbalanced by the cost of taking over?
4. Could the post office and the telegraph be readily combined?
5. Is the condition of the post office stable enough to warrant such an undertaking?
6. Would efficiency be increased by combination with the post office?
7. Would government control eliminate the evils of politics?
8. Is it dangerous to allow the power over the telegraph to rest in private hands?
9. Would the present employees of the private companies be irretrievably thrown out of work?
10. Would the tendency toward socialism be detrimental?

All ten of these questions should be grouped under a few issues concerning the *relative* advantages of private and of public control of telegraph lines; for example: —

1. Would the service be more efficient under private or under public control?
2. Would the service be more economical under private or under public control?
3. Apart from questions of efficiency and cost of service, would the evils of public monopoly be greater than the evils of private monopoly?

SPECIMEN OF FAULTY ANALYSIS

The following statement of clash of opinion and of issues is equally unsatisfactory. The contrasting contentions are not stated in full and the issues do not involve, as they should, the *relative* advantages and disadvantages of different policies.

Resolved: That England should permanently retain control of Egypt.

IV. The conflicting arguments on the question are as follows:—

- A. Those who favor the control of Egypt by England have certain beliefs:—
 1. They believe that the control of Egypt by England is the only practical solution of the problem.
 2. They believe that the present status of affairs is beneficial to Egypt and to the whole world.
- B. Those opposed to the control of Egypt by England maintain the following:—
 1. They maintain that England rules in a selfish manner.
 2. They maintain that Turkey and not England should have control of Egypt.

V. From this conflict of opinion it appears that the points to be determined are:—

- A. Is Egypt benefited by the control of England?
- B. Is the suzerainty of England over Egypt the only practical solution of the problem?
- C. Is the control of Egypt by England a benefit to the whole world?

SPECIMEN OF SOUND ANALYSIS

In 1862 there was a clash of opinion between President Lincoln and Major-General McClellan regarding the movement of the Army of the Potomac. Lincoln, after lining up

all that could be said in favor of McClellan's plan against all that could be said in favor of his own plan, reached what might be called the main issues. These he set forth tersely and clearly in the following letter to McClellan, which is virtually the introduction to an argument. Lincoln, without detailing the process by which he arrived at these central ideas, invited his commander-in-chief to write an argument based upon them. Observe that each of the issues concerns the *relative* advantages of the two plans:—

A SPECIMEN SET OF MAIN ISSUES

EXECUTIVE MANSION,
WASHINGTON, February 3, 1862.

MAJOR-GENERAL McCLELLAN.

My dear Sir: — You and I have distinct and different plans for a movement of the Army of the Potomac — yours to be down the Chesapeake, up the Rappahannock to Urbana, and across land to the terminus of the railroad on the York River; mine to move directly to a point on the railroad southwest of Manassas.

If you will give me satisfactory answers to the following questions, I shall gladly yield my plan to yours.

First. Does not your plan involve a greatly larger expenditure of time and money than mine?

Second. Wherein is a victory more certain by your plan than mine?

Third. Wherein is a victory more valuable by your plan than mine?

Fourth. In fact, would it not be less valuable in this, that it would break no great line of the enemy's communications, while mine would?

Fifth. In case of disaster, would not a retreat be more difficult by your plan than mine?

Yours truly,

ABRAHAM LINCOLN.

Then, lest the reply to this letter might not be adequate in scope, lest McClellan might not perceive all that the main issues involved, Lincoln sent with the letter the following

memorandum, which is in effect a statement of the subordinate issues which Lincoln regarded as most important.

Memorandum accompanying the Letter to McClellan

First. Suppose the enemy should attack us in force before we reach the Occoquan, what?

Second. Suppose the enemy in force shall dispute the crossing of the Occoquan, what? In view of this, might it not be safest for us to cross the Occoquan at Colchester, rather than at the village of Occoquan? This would cost the enemy two miles more of travel to meet us, but would, on the contrary, leave us two miles farther from our ultimate destination.

Third. Suppose we reach Maple Valley without an attack, will we not be attacked there in force by the enemy marching by the several roads from Manassas; and if so, what?

In an intercollegiate debate on the proposition, "The United States Government should inaugurate a movement to bring about reforms in the Congo Free State," the first speaker for the negative, after careful analysis of the question, thus laid out the work for the other team: —

In closing, let me ask our friends of the affirmative: Will you show us evidence sufficient to demand this country's intervention? Will you show that this movement will be more effective than any already under way, more speedy in operation and more permanent in results? Will you show that the Congo situation as a whole even warrants the intervention of this country? Will you show that this movement would be legal? And will you show that it would be expedient?¹

Curran, in defending a client on trial for libel, set forth the issues in the case as follows: —

I wish, gentlemen, to simplify, and not to perplex; I therefore say again, if these three circumstances conspire, — that he published it, that it was a libel, and that it was published with the purposes alleged in the information, — you ought unquestionably to find him guilty; if, on the other hand, you do not find that all these circumstances concurred; if you cannot, upon your oaths, say that he published it; if it be not in your opinion a libel; and if he did not publish it with

¹ The entire speech is given in Appendix III.

the intention alleged; I say upon the failure of any one of these points my client is entitled, in justice and upon your oaths, to a verdict of acquittal.¹

In the preliminary analysis of the question, it is well to set down an extensive set of issues and sub-issues. Then the choice can be made of those which are most important for a given legal brief, or legislative hearing, or formal debate, or campaign speech, or magazine article, or motion-picture film, or advertisement — or whatever else may be, at a given time, the chosen agency for carrying conviction and affecting human conduct. The following analysis was made in preparation for choosing the issues to be used in a debate between the University of Washington and Reed College.

SPECIMEN SET OF ISSUES

“Should the present military force of the United States be substantially increased?”

- I. Is there greater danger of war to-day than in the past?**
 - A. Is there greater danger from our foreign policies?**
 1. Is there greater danger from the Monroe Doctrine?
 2. Is there greater danger from the Open Door Policy?
 3. Is there greater danger from Japan?
 4. Is there greater danger from our island possessions?
 - B. Is there greater danger from our commercial policy?**
 - C. Is there greater danger from interference with our neutrality?**
 - D. Is our isolation, upon which we relied in the past, still as great a barrier to foreign invasion as formerly?**
 1. Are we now a world-power?
 2. Has our isolation become obsolete through modern inventions?
- II. Are our present forces capable of meeting these dangers?**
 - A. Is our navy capable?**
 1. Is its personnel adequate?
 2. Is its equipment adequate?
 3. Is the navy well balanced as a fighting force?
 - B. Is our army capable?**
 1. Is its personnel adequate?

¹ Curran, *In Behalf of Rowan and Free Speech*, 1794.

2. Is its equipment adequate?
3. Are the coast defenses adequate?

C. Should the United States enter into military alliances as a means of national defense?

1. In case of war are we likely to face a single nation or a coalition of nations?
2. Are military alliances binding?

III. Are there any means of preparedness against war better than armaments?

- A. Are treaties an adequate means of preparedness?
- B. Is the organization of our industrial resources a better means?

IV. Would an increase in the armament of the United States increase the danger of war?

- A. Can a democracy become militaristic?
- B. Will an increase in our armaments be looked upon unfavorably by other nations?
- C. Are armaments means of promoting peace?

V. Is naval architecture and construction so transitory as to warrant a delay in preparedness?

- A. Are the lessons drawn from the war conclusive?

The following piece of analysis represents another attempt to set forth the main issues and subordinate issues fully.

SPECIMEN SET OF ISSUES

Resolved: That a legal minimum wage law for men should be adopted in Oregon and Washington.

ISSUES

I. Is the minimum wage theoretically sound?

- A. Will it be possible to enforce the minimum wage law?
 1. Will men who work for less than the established minimum wage give testimony to that effect?
- B. Will the minimum be sufficiently flexible, i.e., adaptable to changeable conditions in the cost of living and cost of production?

II. Will the minimum wage greatly benefit those whose wages are increased by the law?

- A. To what extent is poverty due to low wages?
- B. Would the purchasing power of the laborer's wages be higher after the minimum wage is in force?

1. Will employers raise the price of products sufficiently to offset the increase of wages due to the law?
2. What proportion of the laborer's wages are spent for goods affected by the minimum wage?
3. What proportion of the increased cost of products, due to higher wages, is paid by the laborers who produce them?

III. Will the minimum wage cause evils greater than its possible benefits?

- A. Will the minimum wage increase the number of unemployed men in each State?
 1. Will the minimum wage attract large numbers of immigrants?
 2. Will the minimum wage enable employers to employ as many men through increasing their efficiency?
 3. Will the minimum wage give any positions to women now held by men?
 4. Will a minimum wage drive any industries out of business in Washington and Oregon?
 5. Will the minimum wage deter employers of labor from coming to Washington and Oregon?
 6. Will the minimum wage drive any laborers outside these States?
- B. Will a large proportion of those who lose their positions because of the minimum wage be cared for by the State; e.g., through increased opportunities for industrial education, through hospitals, old age pensions, homes for delinquents and feeble-minded, and through employment by the State?
 1. Will those thrown out of employment by the minimum wage produce less if employed by the State?
- C. Will the minimum wage tend to reduce to its level the wages of those now receiving more?
 1. Are those receiving less than a living wage (who would not be able to earn the minimum wage) more effective in keeping down wages now than they would be when prevented by the minimum wage law from working for less than the minimum wage?

IV. Are there better ways of guaranteeing a living wage?

- A. Are the following ways better?
 1. State employment agencies?
 2. Restriction of immigration?

3. Increasing efficiency of labor through industrial education?
- B. Would these ways benefit the laborers who most need help?
- C. Would a national minimum wage be preferable to a state minimum wage?
- D. Are labor unions better agencies than the State for guaranteeing a living wage?
 1. Are a large portion of male wage-earners outside of labor unions?
 2. Are the labor unions likely — say, within five years — to extend their benefits to most of the wage-earners now unorganized?

V. Is this a favorable time to adopt minimum wages in Washington and Oregon?

- A. If the number of laborers now receiving below the living wage is small, would it be best to adopt a law before the number becomes so large that the operation of the law would greatly disturb labor conditions?
- B. Are conditions of labor, finance, and commerce, and uncertainties of the future due to the war, such as to make possible a wise decision on this question now?

VI. Should Washington and Oregon lead the other States in adopting a minimum wage?

- A. Are the present differences in wages among the States such as to make the leadership of Washington and Oregon objectionable?

SUMMARY

ANALYSIS OF THE PROPOSITION

DISCOVERY AND EXPOSITION OF THE ISSUES

through

Immediate Cause for Discussion.

Origin and History of the Question.

Definition of Terms — .

By Authority.

Negation.

Exemplification.

Etymology.

Explication.

Restatement of the Question as Defined.

Exclusion of Extraneous Matters from the

Argument.

Exclusion of Admitted Matters from the Issues.

Exclusion of Waived Matters from the Issues.

Clash of Opinion

which is the

Main Contentions of the Affirmative and Subordinate Contentions	contrasted with	Main Contentions of the Negative and Subordinate Contentions
--	--------------------	---

Resulting in

Main Issues and

Subordinate Issues

EXERCISES FOR THE SECOND CHAPTER

1. For purposes of analysis, of what importance is the Origin of the Question in each of the following propositions?
 - a. The United States should permanently retain the Philippines.
 - b. The execution of Mary Stuart was justifiable.
 - c. The coal mines of the United States should be under federal control.
 - d. Immigration into the United States should be further restricted.
 - e. The legislatures of the several States should make provisions for pensioning teachers in the state normal schools.

2. Define the terms that need definition in the first ten propositions in Appendix XX.
3. Are any unnecessary steps taken in the Introduction to the Forensic in Appendix VII?
4. In the speech in Appendix XIII, what is the proposition? What terms are defined? What is set down as historical matter? As extraneous matter? As waived matter? As admitted matter?
5. In the argument in favor of *The Elective System for Public High Schools* (Appendix V), consider whether the historical matter is satisfactory. Is it too extensive or too brief?
6. By what steps in analysis are the issues reached in this argument?
7. Are all necessary steps taken in the Introduction in Appendix II?
8. Is the following a satisfactory definition for the terms in the question, "Should a minimum wage for men be established in North Carolina?"

"A minimum wage should be defined as a living wage. Samuel McCune Lindsay, professor of social legislation in Columbia University, says: 'The living wage is defined as compensation for labor performed under reasonable conditions and sufficient to enable employees to secure for themselves and those who are or may be reasonably dependent upon them, the necessary comforts of life.' Every normal worker should live by his work because a normal production justifies a living wage or in other words a minimum wage. The minimum wage then, must be based on the normal production of a normal worker and must be sufficient to enable him to maintain a decent standard of life." — From a speech at Friends University, Kansas, 1915.

9. What are the issues set forth by the first speaker for the Negative in the Congo Free State Debate? (Appendix III.)
10. Find the main issues in the speech in Appendix IV.
11. Consider whether the main issues in the brief on *The Annexation of Cuba* (Appendix VI) are clear, fair, comprehensive, and serviceable.
12. Read carefully one of the following arguments; observe the special method of analysis, and take note of the main issues:—
 Jeremiah S. Black, *In Defence of the Right of Trial by Jury.*
 (*Great Speeches by Great Lawyers*, p. 484.)
 Edmund Burke, *Charge Against Warren Hastings.* (B. Perry,
 Selections from Burke.)

William Wirt, in the case of *Gibbons vs. Ogden*. (9 Wheaton, 160.)

Daniel Webster, in the case of *Luther vs. Borden*. (*Works*, vol. vi, p. 217. Little, Brown & Co., Boston, 1851.) Argument in Appendix XVI.

Thomas H. Huxley, *First Lecture on Evolution*.

Lord Mansfield, *Defense of Evans*.

Lord Erskine, *Defense of Gordon*.

Thomas B. Macaulay, *Copyright Speech*.

(The last four of these speeches may be found in G. P. Baker's *Specimens of Argumentation*.)

13. To what subject is the following paragraph an introduction? What objections do you find to the issues as presented?

“A German who has seen the world and tries to make his thinking free from the chance influences of his surroundings may easily ask himself whether it would not be most desirable that all nations should become republican democracies after the American model. If he does not ask the question himself, he is sure to be asked it by an American friend who happens not to agree with the last speech of the German Emperor, and who, therefore, takes for granted that an educated German, outside of the reach of the German state attorney, will frankly confess that monarchy is a mediæval relic and that democracy alone is life. When one of my friends approached me the other day with such an inquiry, I was in a hurry, and my answers had to be short. I told him, first, that the achievements of democratic America are not the achievements of American democracy; secondly, that democracy in itself has as many bad tendencies as good ones, and is thus not better than aristocracy; thirdly, that the question whether democracy or aristocracy is better does not exist to-day; fourthly, that Germany daily becomes more democratic, while America steadily grows aristocratic; fifthly, that there is no difference between the two nations anyway. My friend insisted that my argument stood on the same level with the oath of the woman who was accused before the court of breaking a pot which she had borrowed from her neighbor, and she swore, first, that the pot was not broken when she returned it; secondly, that the pot was broken when she borrowed it; and thirdly, that she had not borrowed the pot.” — Hugo Münsterberg.

14. From the following quotation, what seem to be the main issues

of the question, "Should the United States adopt the proposed plan for compulsory health insurance?"

"Mr. W. G. Curtis, president of the National Casualty Company, of Detroit, outlines in *The Insurance World* (Pittsburgh) certain objections to the bill for compulsory health insurance proposed by the American Association for Labor Legislation. These results, he imagines, would follow if the bill were enacted into a law:—

"It could not be enforced without aid of police power.

"It could not reach and serve more than 25 per cent of the people coming under the law.

"It would destroy the spirit of independence.

"It would establish Socialism.

"The State would collect a tax of \$5 to effect a saving of \$1.

"The wage-earner would be forced to pay \$9.60 to save \$4.80.

"If the 33,500,000 wage-earners could be brought under the law, it would mean that 3,350,000 would become discards, because of age or physical condition.

"It would furnish political employment or remunerative association for 250,000 politicians.

"It would create carrier funds, that would be controlled or exclusively administered politically, to the amount of \$150,000,000 annually.

"It would permit a small percentage of the doctors to control most of the industrial practise.

"It would apparently exclude all but allopathic practitioners.

"It would interfere with religious liberty, because it would force medical examination of, and compel medical treatment of, Christian Scientists.

"It would establish paternalism.

"It would create class distinction."

15. Criticize the following set of issues:—

Is the closed shop necessary for collective bargaining?

Is the closed shop fair to the employer?

Is the closed shop fair to the non-union man?

Would the closed shop result in a dangerous monopoly of labor?

16. What issues can be drawn from the following clash of opinion?

Are they adequate?

Resolved: That the United States Navy should be substantially enlarged.

AFFIRMATIVE

1. It is necessary to guard against the present danger of war.
2. It is necessary to protect the inhabitants of our insular possessions.
3. It is necessary to maintain our position as a world-power.
4. It is a step in the direction of universal peace.
5. It is a wise expenditure of money.

NEGATIVE

1. There is no immediate danger of war.
2. Our insular possessions are not worth the price.
3. A large navy is not necessary for the maintenance of our position as a world-power.
4. Our growth in naval power would incite other nations to do likewise, thus starting an endless chain of national animosities.
5. Money expended directly for peace would be more beneficial.

17. What issues can be drawn from the following clash of opinion? Are they adequate?

Resolved: That the policy of protection should be abandoned by the United States.

AFFIRMATIVE

1. The natural resources which protection develops benefit the monopolies, not the people.
2. It is class legislation because it aids one class at the expense of another.
3. High wages in the United States are not due to tariff.
4. It is an undesirable kind of tax.

NEGATIVE

1. It develops the natural resources of the country.
2. It creates and fosters new industries.
3. It increases wages and raises the standard of life of working men.
4. It is a desirable form of taxation.
5. It is one of the causes leading to war between nations.

18. Decide on a proposition which covers familiar ground. At the next meeting of the class, let each student write answers to the following questions with reference to that proposition: —

- a.* What is the immediate cause for discussion?
- b.* What terms need defining?
- c.* How should these terms be defined?
- d.* What facts in the history of the question have important bearing on the controversy?
- e.* What matters are sometimes brought into the discussions which are really extraneous?
- f.* Which side of the proposition do you believe to be true?
- g.* What are the strongest arguments advanced against your side?
- h.* Can you safely admit or waive any of these?
- i.* Have you any prejudices on the subject which may warp your judgment?
- j.* What do you take to be the main arguments in favor of your side?
- k.* What, then, seem to you to be the main issues?

19. Let each student prepare, outside of class, answers to the questions under 18 with reference to the subject chosen for his own written argument.

THIRD CHAPTER

CONSTRUCTING THE BRIEF¹

“What is it that first strikes us and strikes us at once, in a man of education, and which, among educated men, so instantly distinguishes the man of superior mind? . . . The true cause of the impression made upon us is that his mind is methodical.” — S. T. COLERIDGE.

I. NATURE AND PURPOSE OF THE BRIEF

IMAGINE a child trying to put together a dissected map of the United States. He has a box full of pieces in confusion. There is plenty of material for his purpose, so much, in fact, that he cannot survey it all at once. Where shall he begin? If he could only attack the problem part by part with a guide to the solution of each part, he might eventually bring order out of chaos. And here is the guide — a small outline map, giving the boundaries of each state; giving, in heavier lines, the boundaries of New England and other groups of states; and, in still heavier lines, the boundaries of the whole country. In addition to this, the map indicates only the chief rivers and mountain chains; there is no detail, no coloring. The whole outline map is not much larger than a single section in his box. With one good look at this outline map, the child gets a fair idea of the contour of the whole country. He then fixes his attention on one of the main divisions, say New England. Keeping in mind the broad outlines and subdivisions of the part he is about to construct, he goes through his material, selecting and rejecting. If he comes across a

¹ Those who prefer to give considerable time to the theory of argument before beginning practice in briefing may postpone the study of the Third Chapter until after the Tenth Chapter. The most satisfactory plan is for the student to be at work on a brief and argument of his own while he is studying sources of evidence and methods of argument and of refutation. Thus he is prompted, from day to day, to put to use what he learns.

piece of material which looks as though it might find place in the New England group, but does not quite fit, he consults his guide in search of a place which the piece in question exactly fits. If he has not found sufficient material to complete New England, as his guide tells him to complete it, he knows that he must continue his search, and he knows pretty well for what he is searching. Having constructed the main divisions one by one, he can put them together so that the whole elaborate structure shall be built in the shape of his little outline guide.

A brief is an outline guide. The whole brief is not much larger than a single division of the finished forensic. With one good look at his brief, a writer sees his whole work in its broad aspects; he understands the relation of parts; he perceives the right arrangement of the main divisions, and he is able to develop them one by one. He is constantly guided by his brief in the selection and rejection of material. It warns him when he is in danger of inserting evidence out of its place, or of omitting evidence necessary to the proof. Finally, the brief serves as a test of the firmness and logical sequence of the finished structure. The brief is to a man constructing a forensic what the outline is to a child constructing a map.

II. RULES FOR CONSTRUCTING THE BRIEF

That form of brief is best which best suits the purpose of the writer. There is no *one* correct method of drawing a brief. The most successful lawyers in New York have come to follow a certain form, which long practice has proved most efficient for their purposes. The rules of the Supreme Court of Illinois prescribe the form in which briefs shall be submitted to that court. But when a writer draws a brief solely for his own aid, he uses that form which seems at the time most helpful. One form which has stood the test of many years of service, and which seems best adapted to the purposes

of instruction, is built in conformity with the following rules:¹—

GENERAL RULES

1. *A brief should be divided into three parts: Introduction, Proof, and Conclusion.*

2. *A brief should contain nothing but COMPLETE statements.*

Mere topics are insufficient. Every symbol should be followed by a complete statement. The following outline, although it might serve the purpose of an able and experienced speaker, would be of little use to a beginner in the study of argumentation, and of still less use to a reader.

ANNEXATION OF CUBA

Introduction

Treaty of Paris.

United States Intervention.

Objections to Annexation.

¹ Any one who is inclined to regard the methods of analysis and brief-drawing here set forth as unnecessarily rigid and formal may be interested to observe how definitely the law prescribes the form in which briefs shall be submitted. The following is an extract from the rules of the Supreme Court of Illinois regarding briefs to be presented to that Court:—

“Each party shall file a printed brief in the case. The brief of appellant or plaintiff in error shall contain a short and clear statement of the case, including, first, the form of the action; second, the nature of the pleadings sufficiently to show what the issues were, and to present any question subject to review arising on such pleadings; third, in cases depending upon the evidence, the leading facts which such evidence proved or tended to prove, without discussion or argument and without detail; fourth, how the issues were decided upon the trial or hearing, and what the judgment or decree was; and fifth, the errors relied upon for a reversal. The statement so made will be taken to be accurate and sufficient, unless the opposite party shall, in his brief, point out wherein it is inaccurate or insufficient. Following the statement of the case, the brief shall conclude with the points made and the authorities relied upon in support of them; and in citing cases, the names of the parties must be given, with the book and page where the case is reported. No alleged error or point not contained in such brief shall be raised afterwards, either by reply brief, or in oral or printed argument, or on petition for rehearing.”

Arguments in favor of Annexation.

Economic.

Social.

Moral.

Main Issues.

Proof

Economic Advantages.

Trade.

Fundamental Industries.

Effect on Trusts.

Sugar.

Question of national honor.

Official declarations about Cuba.

Intentions and changed circumstances.

Social inferiority of Cubans.

No other plan.

Conclusion

Annexation desirable.

The above vague outline gives but little idea of the main contentions or of the means of proving them. The gain in clearness due to the use of complete statements — and nothing but complete statements — will become evident upon an examination of the finished brief. (Appendix VI.)

3. *Each statement should be marked by a single symbol to indicate its relation to other statements.*

Each statement in the Introduction to a brief is significant only because of its explanatory relation to one of the essential steps in analysis. Each statement in the Proof of a brief is significant only because of its causal relation to the proposition, to one of the main issues, or to a subordinate statement. The relation of each statement to those preceding it and to those following it must, therefore, be clearly indicated. This relation can best be indicated by means of symbols. As uniformity and consistency are important for purposes of instruction, we shall do well to adopt the following arbitrary set of symbols: —

Symbols

The Proposition to be proved is true, for

I.....	, for
A.....	, for
1.....	, for
a.....	, for
x.....	,
y.....	,
z.....	,
b, etc.....	,
2, etc.....	,
B, etc.....	,
II.....	, for
A.....	, for
1.....	, for
a.....	, for
etc.	.

RULES FOR THE INTRODUCTION

4. *The Introduction should contain as much information and as many of the steps in analysis as are necessary for an intelligent reading of the Proof.*

5. *Each of the steps in analysis should be clearly indicated as such.*

6. *The Introduction should set forth the Main Issues.*

7. *The Introduction should exclude every statement which requires proof.*

The following introduction is satisfactory in these respects. It was prepared for a formal debate.

SPECIMEN INTRODUCTION

PROPOSITION: The American Federation of Labor should enter politics as an independent party.

I. The question arose primarily out of the clash of opinion as to the respective rights of capital and labor.

II. The immediate cause of discussion, however, is the threatened railroad strike and the action of Congress at the urgent request of President Wilson.

III. The history of the labor movement which leads up to the present question is a history of organization.

- A. The American Federation of Labor was formed by Samuel Gompers in 1881.
- B. The Labor Party in England entered politics and controls 54 out of 670 votes in the English Legislature.
- C. The American Federation of Labor has followed a different course.
 - 1. At first it decided to attain its aims solely by industrial means.
 - 2. During the last few years, it has attempted to accomplish its aims by entering politics.

IV. A few definitions are necessary for an understanding of the question.

- A. By the American Federation of Labor is meant that union of unions which includes every kind of labor organization and has its central board of directors in its executive council as recognized by the unions.
- B. Edmund Burke, in *Thoughts on the Cause of the Present Discontents*, defines "party" as "a body of men united for promoting by their joint endeavors the national interest upon some particular principle in which they are all agreed."
- C. To enter politics as an independent party is taken to mean to hold conventions, nominate candidates, and endeavor to control the votes of its members.
- D. The word "should" is agreed to be equivalent to the phrase, "must in order to attain the highest efficiency in the accomplishment of its aims."

V. It is further agreed that the aims of the American Federation of Labor are —

- A. Enforcement of law.
- B. Reduction of hours of labor.
- C. Friendly settlement of disputes.
- D. Providing labor for men out of employment.
- E. Education of children.
- F. Profit sharing.
- G. General social betterment.

VI. Since these definitions thus narrow the question, discussion of the general good or evil of labor unions, labor disputes, strikes, and all such matter is extraneous.

VII. It is admitted (1) that the Federation has the legal right to

enter politics, (2) that the Federation is able to form a party, (3) that the aims are laudable.

VIII. The question (restated as defined) is, therefore, whether the American Federation of Labor could attain the highest efficiency in the accomplishment of its seven aims by organizing with the attributes, above named, of a separated political party?

IX. The affirmative answers yes, **X.** The negative answers no, for for

A. The Federation would be able to command its votes as a party unit because of the fundamental common interests of its members.

B. With this political power, the Federation would be more efficient in attaining its aims than without it.

A. The Federation could not possibly control the votes of so many men of such diverse interests and fixed political affiliations.

B. The political power even of a united Federation labor party would not be as efficient in attaining its aims as the present Federation working through existing parties.

XI. From this Clash of Opinion are derived the special issues:—

- A.** Would the American Federation of Labor be able to control its votes as a party unit if it should enter politics?
- B.** Would a Federation labor party, controlling its votes, be more efficient in attaining its seven aims than working, as at present, without such political power?

RULES FOR THE PROOF

8. *In the Proof each main statement should correspond to one of the main issues set forth in the Introduction, and thus stand as direct proof of the truth of the Proposition.*

Consider the following:—

PROPOSITION: The Annexation of Cuba to the United States would be for the interests of the United States, for

PROOF I. The Annexation of Cuba would pay economically.

II. The present social inferiority of the Cuban people is not sufficient to offset the advantages of Annexation.

III. Annexation would be a social uplift to Cuba.

This briefing is objectionable because the statement marked III pretends to be *direct proof* of the proposition. It should

be sub-head A under main-head II. (See complete brief, Appendix VI.)

9. *In the proof, each sub-statement should help to prove the truth of the statement to which it is subordinate.*

The object of the brief is to show in condensed form how the proposition may be proved. It follows that a statement is of importance in the argument of the brief only because it helps to prove an essential step in the reasoning. Accordingly, a statement must be so briefed as to show precisely what it helps to prove. This logical and invariable order of proposition and proof is the distinguishing feature of a brief. Unless each sub-statement helps to prove the truth of the statement to which it is subordinate, there is no brief. The result is confusion.

If the form of the brief is correct, the word *for* will logically connect any statement with the statement to which it is subordinate. If the connective *hence* or *therefore* or *and*, between two such statements, makes sense, the form of the brief is faulty.

Turning back to our set of symbols, we see that each statement marked with a Roman numeral should stand as direct proof of the proposition. Each statement marked with a capital letter should stand as proof of the Roman numeral statement under which it stands. Each statement marked with a small numeral should stand as proof of the capital letter statement under which it stands, and so forth as far as the sub-heads extend. If this rule is strictly followed, any succession of heads and sub-heads, read in order, — such as I, A, 1, a, or III, B, 2, c, — will make complete logical sense, even if the rest of the brief is ignored.

Consider the following specimen of faulty briefing: —

Wrong Form

- I. Secret societies in public high schools are unfair to non-members.
- II. They seek to control all school elections, for
 - A. They are undemocratic.

III. They should be prohibited.

IV. Of 800 principals interviewed, 95 per cent condemned the societies for selfish school politics.

A. They avowedly make no provision for the general social good of the school.

This arrangement fails to indicate the relations of parts; it does not make clear what division of the proof each statement helps to establish. The following arrangement, on the other hand, shows precisely what work each statement performs.

*Right Form*¹

Secret societies should be prohibited for

I. They are undemocratic, for

A. They are unfair to non-members, for

1. They seek to control all school elections, for

a. Of 800 principals interviewed, 95 per cent condemned the societies on this ground.

B. They avowedly make no provision for the social good of the whole school.

Not only should every statement help to prove the truth of the statement to which it is subordinate, but it should be so phrased as to make this relationship clear.

10. When two or more statements do not stand in the relation of proposition and proof, but as coördinate parts of one piece of evidence, this relationship should be shown by symbols.²

Sometimes two or more separate statements, each requiring evidence, do not stand in the relation to one another of proposition and proof, and do not individually stand as evidence in support of any other proposition, but *together* form

¹ The complete brief, of which this is a part, is developed in the seventh chapter of *Essentials of Exposition and Argument*. (Houghton Mifflin Company, 1911.)

² All writers of textbooks on Argumentation have followed Baker in a form of briefing which is admirable for first practice, but which is not sufficiently flexible. This provision for coördinate statements, though not sanctioned by the texts, is logically necessary. In fact, it is so useful that the beginner is inclined to misuse it.

an argument. For example, the four statements given below [a, a', a'', and a'''] are presented as coördinately supporting statement 2. In other words, the fact that faculties have always known the evils is not offered in support of 2; but that fact, and the fact that they have always had adequate power, and the fact that they have failed to correct the evils are *together* offered in support of 2. This relationship is indicated in the following way:—

Correct Form

B. The influences of intercollegiate athletics antagonistic to scholarship can be overcome only by abolishing intercollegiate athletics, for

1. Experience gives no ground for expecting that faculties will overcome these evils, for
 - a. Although faculties have always known these evils, and
 - a'. Although faculties legally have always had control of all student activities, and
 - a''. Although it is impossible to give faculties more control than they have actually had, yet
 - a'''. Faculties have failed to exercise their powers to safeguard the interests of scholarship against the influences of intercollegiate athletics.

Correct Form

I. The Philippine Islands should not be annexed, for

- A. Although all just government derives its powers from the consent of the governed, yet
- A'. The Filipinos have not consented.

11. *Each symbol should stand for a SINGLE statement.* —

Consider the following double headings: —

- I. The beet sugar industry, which is of slight importance, would not be injured by the annexation of Cuba.
- II. Conditions in Cuba have been averse to trade and annexation would remedy these conditions, for
 - A. Cuba has been in constant revolt.

Obviously not all the statements under such double headings can stand as proof of *both* parts of the heading. The

reader is therefore always bothered and usually confused in trying to find out which part of a double heading a given sub-statement is supposed to prove. The writer is equally bothered and confused by double headings, first in revising his brief and second in writing his forensic. His rule should be to prove a single statement at a time.

12. *Each heading of the refutation should state clearly the argument to be refuted.*¹

Consider the following example of good phrasing: —

(1) The argument that the Cuban tariff would not be removed if Cuba were annexed, since the Philippine tariff has not been removed, is an unsound analogy, for

- a. The Philippines are not "annexed," but simply "acquired territory" under a military government.

(For context, see Appendix VI.)

Another example is taken from a brief of Burke's Speech on Conciliation: —

(2) Although it is urged that the colonists, if given representation, would attack the trade laws, this objection is worthless, for

- a. These trade laws are admitted futile, and
- a'. It is absurd to keep up revenue laws which are mischievous in order to preserve trade laws which are futile.

RULE FOR THE CONCLUSION

13. *The conclusion should be nothing but a summary, without qualification or other change of phrasing, of the main parts of the argument, followed by an affirmation or denial of the proposition just as it stands at the head of the brief.*

III. SHORT SPECIMEN BRIEFS

The most important of the rules for briefing is Rule Nine, which requires that in the proof each sub-statement should help to prove the truth of the statement to which it is subordinated. We here present two simple briefs which were

¹ The reason for insisting on this rule is emphasized in Section III of the ninth chapter.

drawn up in accordance with this rule for a debate between Yale University and Princeton University, and one which is adapted from a brief drawn up at Colorado College.

BRIEF A

"Resolved: That it should be the policy of the United States not to hold territory permanently except with the purpose that it shall ultimately enjoy statehood."

AFFIRMATIVE (YALE)

THIS SHOULD BE OUR POLICY, for

A. It has been our past successful policy, for

1. Our strength has been due to national unity, for
 - a. We have never held dependencies.
 - b. Our acquired territory has been made into immediate or potential states, for
 - x. The ultimate statehood of Alaska and Hawaii is commonly accepted as only a matter of time.

B. A departure from this policy would be unwise, for

1. There are no advantages to be gained by such a course, for
 - a. Dependencies do not offer military advantage, for
 - x. The possibility of war in their defense is always present.
 - b. Dependencies do not offer commercial advantage, for
 - x. Trade does not follow sentiment.
 - y. Our trade with British Colonies and South America grows independently of national relationship.

2. The reflex effect of dependencies upon the central government is pernicious, for

- a. They divert the energy which should solve internal problems.
- b. They tend to destroy the unity of national ideals, for
 - x. Their population is not in sympathy.
 - y. Geographical separation is a menace.

3. The relation of statehood is essential to a maintenance of our liberty, for

- a. The system opposes absolutism.

4. Our policy is a source of power in diplomacy, for

- a. The countries of Europe, jealous of each other, have recognized us as arbiters.

- b. Inferior countries look to us because of our policy.

5. A fixed policy is better than a vacillating policy.

BRIEF B

NEGATIVE (PRINCETON)

THE UNITED STATES SHOULD NOT ADOPT THIS POLICY, for

A. It is not in accord with our past course, for

1. We have chosen to be free to act in each case as circumstances and our honor might dictate, for
 - a. This was enunciated in the Monroe Doctrine.
 - b. The treaty for the purchase of Alaska in 1867 contained no stipulation for statehood.
2. Our policy in the Philippines, as announced by Taft, is to establish permanent government without any definite promise as to the future status.

B. It would be an unwise policy, for

1. It does not adequately meet future conditions, for
 - a. We do not know that the Filipinos can ever attain statehood.
 - b. The only alternative, — independence, — is not expedient, for
 - x. Past experience in the tropics proves this.
 - c. It precludes us from holding a colony as England holds Canada.
2. It would hinder the development of the Philippines, for
 - a. It would remove the incentive to improvement, for
 - x. It would be construed as a promise of immediate independence.
3. An unhampered policy is best for our country, for
 - a. Any departure from the definite course, if adopted, would subject us to a charge of faithlessness.
 - b. Our trade interests in the Orient demand that we be left free.
 - c. Justice and common sense can govern our conduct without the adoption of an arbitrary policy.

BRIEF C

“Summer baseball” should be prohibited by the Rocky Mountain Athletic Conference

INTRODUCTION

I. “Summer baseball” means the playing of college baseball players with professional or semi-professional teams during the summer vacation.

- A. The Colorado Iron Works team is a semi-professional team.
- B. The Denver Western League team is a professional team.
- II. The Rocky Mountain Athletic Conference is the association consisting of representatives from the faculties of collegiate institutions in the Rocky Mountain region.
- III. It is agreed that only colleges under the Conference rules shall be considered.
- IV. The issues are:
 - A. Does summer baseball tend to divert the player's attention from the work he is following in college to such an extent that it is harmful to that work?
 - B. Has it a bad effect on his morals?
 - C. Is the money gained through the high salary sufficient to offset the money and experience he might gain by entering some other employment?
 - D. Does summer baseball have a bad effect on college athletics?

PROOF

“SUMMER BASEBALL” SHOULD BE PROHIBITED BY THE CONFERENCE, for

- I. It tends to divert the attention of the player from his college work, for
 - A. The salary of a good player is better than he can get in other kinds of work, for
 - 1. He is proficient in baseball playing, and
 - 1'. He is not proficient in any line he has been following in college.
 - B. The life of a ball player makes him unfit for steady work, for
 - 1. The hours of practice are short.
 - 2. He is constantly traveling.
 - 3. He comes to crave notoriety, for
 - a. He comes to regard himself as a sort of popular hero.
- II. Summer baseball has a bad effect on the morals of most student players, for
 - A. They are usually thrown in with ex-professional ball players.
 - B. These men are likely to be immoral, for
 - 1. They have been long away from good influences.
 - 2. They have led a wandering and irresponsible life.
 - C. Students playing summer baseball have not time to cultivate the acquaintance of the better people in the towns where they play, for

1. The better people are harder to get acquainted with than those whose influence is likely to be bad.

III. The money gained through the large salary is not sufficient to offset the money and experience which might be gained in doing some other work, for

- A. In almost every case the salary is spent as soon as received, for

1. The ball player must "be a good fellow" among his teammates, and this costs much.
2. Of the numerous examples I have in mind only one has saved any of his summer's salary.
3. Most students gain no experience in the work they are going to follow, for
 - a. Few choose ball-playing as a life work.

IV. Summer baseball has a bad effect on college athletics, for

- A. After playing all summer the men are tired of athletics and practice.

- B. They lose interest in college ball, for

1. They are used to being paid for playing.

- C. Summer baseball encourages a harmful spirit of professionalism, for

1. It encourages in the players a spirit of "win at any cost."

CONCLUSION

Since "Summer baseball" tends to divert the attention of the player from his college work, and has a bad effect on the morals of most players, and since the money gained is not sufficient to offset the money and experience which might be gained in doing some other work, and since it has a bad effect on college athletics,

Therefore, Summer baseball should be prohibited by the Rocky Mountain Athletic Conference.

IV. DEVELOPMENT OF A LONGER SPECIMEN BRIEF

The question now arises, How shall we go to work to construct a brief?

Our first task is to analyze the question, according to the method fully set forth in the previous chapter. In so doing, we present, as the first material of the introduction, the immediate cause for discussion, such undisputed facts in the origin and the history of the question and such definitions

as may be necessary for a right understanding of the proof. We also here exclude as extraneous any related matter, not properly embodied in the question, which might mislead the discussion. We then have something like the following: —

FIRST STEP

INTERCOLLEGIATE ATHLETICS SHOULD BE ABOLISHED

INTRODUCTION

- I. [Immediate Cause for Discussion.] This fall the Committee on Athletics of Yale University said, in a Report to the Corporation, "There must be vast improvement or intercollegiate athletics must be abolished," and a special committee of the Regents of —— University now has this subject under consideration.
- II. [Origin and History.] For the past forty years, since the first intercollegiate games, there has been a rapid increase in number of games, cost, attendance, and public discussion. Recently there have been many attacks on intercollegiate athletics and many defenses.
- III. [Definition of Terms.] Intercollegiate athletics include all games of football, baseball, basket-ball, tennis, hockey, track, rowing, and similar contests in which the official representatives of one college or university play against the official representatives of another.
- IV. [Admitted Matter.] In nearly all discussion on both sides, the following matters are admitted: —
 - A. It is admitted that the chief aims of colleges should be the best possible mental, physical, and moral development of all students.
 - B. It is admitted that all students, both men and women, not physically incapacitated, should take part regularly in some athletic games.
 - C. It is admitted that nothing should be perpetuated which does not, on the whole, promote these aims.
 - D. It is admitted that there are evils connected with intercollegiate athletics in some colleges which ought to be done away with.

The next problem is that of finding the main issues. This is more difficult, for all the issues can be found only through contrasting all the contentions of both sides. To find the

issues, therefore, demands an extensive knowledge of both sides of the question. To be sure, we might say, off-hand, that the whole controversy may be resolved into two main issues: (1) Would the abolition of intercollegiate athletics benefit the colleges? (2) Would it benefit the students? But we should find, upon investigation, that the interests of colleges cannot be separated from the interests of students. In other words, these issues are not, as they should be, mutually exclusive. This is shown by the fact that most of our evidence could be placed under *either* head. We should therefore be no better off than before we attempted to analyze the question.

We shall find the issues by making note of all the contentions we can find, in conversation, in reading, and in thinking, on both sides of the question. We shall ignore, for the present, the evidence in support of these contentions. We shall then tersely phrase each contention and write it on a separate card.

We shall then divide our cards into two packs, — those supporting the affirmative, and those supporting the negative.

Then, setting all the contentions of one side over against all the contentions of the other side, we have the following Clash of Opinion: —

SECOND STEP

V. [Clash of Opinion.]

Those in favor of abolishing intercollegiate athletics maintain that

I. They entail evils which can be abolished in no other way, for

A. They are antagonistic to scholarship.

Those in favor of continuing intercollegiate athletics maintain that

I. All the serious evils they entail can be overcome by increased faculty control and better rules against professionalism, for

A. Faculties have power to set and maintain standards of scholarship regardless of athletics.

- B. They over-train the few and neglect the physical welfare of the many.
- C. They involve corrupt practices, notoriety of athletes, enmities, unsportsmanlike conduct and commercialism which are morally objectionable.
- II. They bring no benefits sufficient to offset the evils, for
 - A. They do not create any desirable college spirit that could not be created in other ways.
 - B. The so-called "spirit" created by athletics does not carry over to benefit other college interests.
- B. Faculties have power to provide means of physical training for all students and to require participation.
- C. Rules governing professionalism and faculty control of finances can prevent immoral practices.
- II. They bring benefits that more than offset the evils, for
 - A. They create college spirit through uniting the entire community in a common enthusiasm.
 - B. The spirit thus developed promotes the general welfare of the college.

By means of this process of lining up opposing contentions in parallel array, we find the issues: —

THIRD STEP

VI. [Special Issues.] Through this clash of opinion we reach these special issues: —

- I. Are there evils of intercollegiate athletics which can be overcome only by abolishing intercollegiate athletics?
 - A. Are they necessarily antagonistic to scholarship?
 - B. Are they necessarily antagonistic to the physical well-being of all students?
 - C. Are they necessarily immoral in some of their influences?

II. Is it possible to make intercollegiate athletics yield benefits which can be gained in no other way?

- A. Do they create a desirable college spirit which cannot be created in other ways?
- B. Does the spirit created by intercollegiate athletics promote the general welfare of the college?

Turning from the Introduction to the Proof, we now arrange our evidence in groups corresponding to the issues. So far, it has been of no consequence which side of the proposition we intended to defend. The introductory work of analysis, being wholly impartial, is the same in the brief for both sides. Now we take up the Proof of the affirmative. As we have carefully made note of separate arguments on separate cards, we can now sort our cards without confusion. Into the first group we place all the evidence thus far collected which tends to prove the first issue. The result is more than we can handle at once. We therefore arrange this evidence in three groups, corresponding to the three subordinate issues under the head of the first main issue. Into one of these groups we place all the material bearing on the first subordinate issue, namely, whether intercollegiate athletics are antagonistic to the intellectual interests of the college. We then have the following result: —

FOURTH STEP

1. An excessive proportion of space is given by their own publications to intercollegiate athletics.
2. The trips are too long.
3. The argument that intercollegiate athletes stand as high in scholarship as other students is beside the point.
4. With an entire institution in overwrought eagerness to win games, teachers are under strong pressure to lower requirements rather than interfere with victories.
5. The time given by athletes to intercollegiate athletics is antagonistic to their intellectual life.
6. The schedules are too long.
7. Intercollegiate athletics interfere with the studies of all students.

8. The college of liberal arts in America, in which intercollegiate athletics are a dominant feature, suffers in standards of scholarship in comparison with professional schools which have no intercollegiate athletics.
9. An excessive amount of time is spent by students in rallies, watching practice, attending games and discussing games.
10. Although it is held that the greater seriousness of students of professional schools is due to the vocational aim, yet this contention is weak.
11. They spend an excessive amount of time in preparation for games.

Careful examination of this evidence shows that statements 4, 5, 7, and 8 stand as direct proof of the issue, and the other statements tend to prove 4, 5, 7, and 8. Re-arranging them, according to Rule 9, we have the following:—

FIFTH STEP

- A. Intercollegiate athletics are antagonistic to the intellectual interests, for
 1. Intercollegiate athletics interfere with the studies of all students, for
 - a. An excessive amount of time is spent by students in rallies, watching practice, attending games and discussing games.
 - b. An excessive proportion of space is given by their own publications to intercollegiate athletics.
 2. The time given by athletes to intercollegiate athletics is antagonistic to their intellectual life, for
 - a. They spend an excessive amount of time in preparation for games.
 - b. The schedules are too long.
 - c. The trips are too long.
 - d. The argument that intercollegiate athletes stand as high in scholarship as other students is beside the point.
 3. The college of liberal arts in America, in which intercollegiate athletics are a dominant feature, suffers in standards of scholarship in comparison with professional schools which have no intercollegiate athletics, for
 - a. Although it is held that the greater seriousness of students of professional schools is due to the vocational aim, yet this contention is weak.

4. With an entire institution in overwrought eagerness to win games, teachers are under strong pressure to lower requirements rather than to interfere with victories.

We next take up the group of cards that tends to prove that intercollegiate athletics are antagonistic to the physical well-being of all students, and arrange them according to the rules for briefing. In the same way we prepare the proof for the other issues. In each case we mark the refutation as such, and give exact references in the margin to the sources of our evidence. The result is a complete working brief, which we further strengthen by the addition of new arguments, authorities, references, and refutation, and by progressive rearrangement of parts. The following brief is not presented as a finished and faultless specimen. It was drawn up for the purpose of a debate. It is such a piece of work as any student ought to be able to prepare after studying the principles of argumentation. The references to sources are omitted, for the sake of brevity, since our interest for the present is in the structure of the brief. But when a brief is submitted for convincing another person, or for his criticism, it should contain definite citations to authority under each statement in need of such evidence.

V. COMPLETE WORKING BRIEF

BRIEF D

PROOF

INTERCOLLEGIATE ATHLETICS SHOULD BE ABOLISHED, for

I. There are serious evils which cannot be abolished without abolishing intercollegiate athletics, for

A. Intercollegiate athletics are antagonistic to intellectual interests, for

1. Intercollegiate athletics interfere with the studies of all students, for

a. An excessive amount of time is spent by students in rallies, watching practice, attending games and discussing games, for

- x. Many faculties excuse students to travel long distances to attend games.
- b. An excessive proportion of space is given by their own publications to intercollegiate athletics.
- 2. The time given by athletes to intercollegiate athletics is antagonistic to their intellectual life, for
 - a. They spend an excessive amount of time in preparation for games.
 - b. The schedules are too long.
 - c. The trips are too long.
 - v. Brown University team traveled from Providence, R.I., to Pasadena, Cal., in 1915.
 - w. Syracuse, N.Y., University team traveled to Portland, Ore., in 1915.
 - x. The Oregon Agricultural College football team went to Lansing, Mich., in 1915.
 - y. The University of Nebraska team went to the Pacific Coast in 1916.
 - z. Twenty college teams in 1916 spent away from home an average of 84 hours per game.
- d. The argument that intercollegiate athletes stand as high in scholarship as other students is beside the point, for
 - x. The question is whether their scholarship suffers during the season of games.
 - y. The scholarship of the entire institution suffers.
- 3. The college of liberal arts in America, in which intercollegiate athletics are a dominant feature, suffers in standards of scholarship in comparison with professional schools which have no intercollegiate athletics, for
 - a. Although it is held that the greater seriousness of students of professional schools is due to the vocational aim, yet this contention is weak, for
 - x. Until within a few years no attempt has been made in America to show whether standards of scholarship could be raised by abolishing intercollegiate athletics.
 - y. There is no evidence that those universities in America with the largest offerings of vocational courses have more serious intellectual interests among their students than other colleges.
- 4. With an entire institution in overwrought eagerness to

win games, teachers are under strong pressure to lower requirements rather than to interfere with victories.

B. The intellectual interests of the college can be adequately protected only by abolishing intercollegiate athletics, for

1. The antagonism is inherent in the system, for
 - a. An excessive amount of time must be spent by the intercollegiate athletes if winning games remains the dominant interest, for
 - x. Winning teams cannot be produced with the moderate exercise sufficient for recreation and physical development.

2. Experience gives no ground for expecting that college governing boards and faculties will overcome these evils, for

- a. Although faculties have always known the evils, and
- a'. Although faculties legally have always had absolute control of all student organizations, for
 - x. Every court decision has sustained this judgment, and
- a''. Although it is impossible by rule, regulation, resolution, or recommendation to give faculties more control than they have actually had for years, yet
- a'''. Faculties have failed to exercise their powers in the interests of the physical well-being of all students.

C. Intercollegiate athletics are antagonistic to the physical well-being of all students, for

1. The aims of athletics for all — proper physical development and moderate recreation and habits of right living — are antagonistic to the supreme aim of intercollegiate athletics.
2. Those in greatest need of the benefits of athletics are neglected, for
 - a. To win games, the coach must eliminate them as quickly as possible.
 - b. To win games, the equipment must be reserved an excessive amount of time for exercise of those who need it least, for
 - x. It is customary to have many hours of secret practice during which all but the teams are excluded from the fields.
 - y. The chief fields are often reserved solely for intercollegiate teams, as at Harvard and Chicago.

- c. Although vast sums are spent on athletics, but little of this is spent for intra-mural games, for
 - x. Reports from 147 colleges show that sixty times as much money is spent per intercollegiate athlete as per each other student.
- 3. Intercollegiate athletics are bad for intercollegiate athletes, for
 - a. The excessive strain is physically injurious.
 - x. Track men suffer physical injury.
 - y. Rowing crews suffer physical injury.
 - z. Football players suffer physical injury.
 - b. Intercollegiate games having become a serious business, their values as play and recreation have been killed.
 - c. Intercollegiate athletics virtually demand of the athlete a period of excessive physical strain and neglect of studies followed by a breaking of training and consequent neglect of physical well-being.
- 4. [Refutation.] Although it is said that intercollegiate athletics benefit the whole student body physically by prompting wider participation in athletic games, yet this argument is not sound, for
 - a. The prospect of making the big teams is no incentive to a vast majority of students.
 - b. In 147 colleges reporting, less than fifty per cent of the men students participate in games one or more times a year.
 - c. Although in Reed College, having no intercollegiate athletics, participation is almost universal, for
 - x. Statistics of 1914 prove this.
 - y. Statistics of 1916 prove this.
 - c'. Yet, many colleges, long famous for intercollegiate athletics, are less successful than Reed College in gaining general participation.
 - d. It is reasonable to expect greater interest in intra-mural sports when intra-mural sports are the *chief* athletic interest of a college.
 - e. The universal participation in games in English schools and colleges is not due to intercollegiate athletics, for
 - x. "There are no gate-fees at college matches at Oxford, and it is unusual to see more than a handful of spectators."

5. [Refutation.] The argument that the abolition of inter-collegiate athletics would decrease participation in games is purely theoretical, for
 - a. No experience can be cited as proof.
6. Intercollegiate athletics are antagonistic to the physical well-being of women students, for
 - a. Undue interest and attention is paid to men's games.
 - b. Almost invariably the equipment for women students is inferior.
 - c. Any conflict between physical interests of women students and the desire to win games is settled unfavorably to the women.
 - d. Women are induced to pay fees most of which are spent on men's athletics.
- D. The physical activities of a college can be conducted for the utmost physical well-being of all students, men and women, only by abolishing intercollegiate athletics, for
 1. Faculty control of intercollegiate athletics is not a sufficient remedy, for
 - a. This was shown under B, 2, above.
- E. Intercollegiate athletics are antagonistic to the moral well-being of students, for
 1. Eagerness to win games leads to corrupt practices, for
 - a. Students are secretly hired to win games and be silent.
 - b. Violation of rules is condoned.
 - c. Coaches with bad morals are retained because their teams win games.
 2. The notoriety and undue prominence is bad for the athletes.
 3. Bitter enmities arise between rival institutions.
 4. Intercollegiate athletics promote unsportsmanlike conduct, for
 - a. Charges and counter-charges of deceit, trickery, and violation of rules are incessant.
 5. Sport has become commercialized, for
 - a. Expenses have constantly increased in spite of all attempts at regulation.
 - b. Schedules are arranged to make money and to advertise the college.
 - c. In spite of larger gate receipts, cost to students is not decreased.

F. Although it is said that the morally objectionable features can be abolished without abolishing intercollegiate athletics, the argument is not well-founded, for

1. During twenty years these reforms have been promised.
2. No plan of further exercise of faculty control can possibly reach the worst of these evils, for
 - a. The hiring of athletes is beyond their control.
 - b. The spirit of the grandstand is beyond their control.
 - c. Faculties themselves often show bad spirit toward athletic rivals.
3. All these evils are bound up with the overpowering eagerness to win games, which cannot be abolished.

II. [Refutation.] To offset the admitted evils of intercollegiate athletics, there are few, if any, advantages, for

A. There is no proof that "college spirit" is created by intercollegiate athletics, for

1. Rallies and coaxing are considered necessary as artificial means of arousing "spirit."
2. "College spirit" is demanded to sustain interest in intercollegiate athletics, and then intercollegiate athletics are defended as creators of "college spirit."
3. The causal connection is not proved, for
 - a. Although "college spirit" differs greatly among the different colleges, and in the same college from time to time,
 - a'. Yet the alleged cause is operating in all colleges all the time.
4. According to the testimony of students themselves, in their own publications, intercollegiate athletics often fail to create "college spirit."

B. The argument that intercollegiate athletics are justifiable because they foster loyalty is worthless without specific proof that the devotion of students to larger college purposes is the result of "spirit" created by intercollegiate athletics; and

B'. There is no proof that the "spirit" demonstrated by students in connection with games carries over to the support of the larger purposes of the college, for

1. Although baseball fans demonstrate just as much spirit at professional ball games,
- 1'. Yet no one contends that they use the spirit for any other purpose.

C. There is no proof that the interest in intercollegiate games of the general public carries over to higher college aims, for

1. Although newspapers, an index of public interest, as a rule give page after page to intercollegiate athletics,
- 1'. Yet they scarcely mention the intellectual pursuits of the college.

D. A "spirit" is of questionable value to a university which is absolutely dependent on activities outside the chief aims of universities.

E. Although it is held that intercollegiate athletics should be retained as the only means of bringing an entire university together, yet this argument is weak, for

1. The "big games" have become public spectacles rather than college affairs.
2. Often the biggest games are remote from either of the contending colleges so that only those teachers and students can attend who have sufficient time and money.
3. If the members of a university cannot be brought together by common interests higher than those of an athletic spectacle, the deficiency is too great to be met by intercollegiate athletics.

F. Many of the arguments in favor of continuing intercollegiate athletics beg the question at issue, for

1. Although it is said that intercollegiate athletics are desirable advertising, yet this argument begs the question at issue, for it cannot be called good advertising to keep before the public activities, if they ought to be abolished.
2. Although it is said that a college gains by attracting students by means of intercollegiate athletics, yet this argument begs the question, for if intercollegiate athletics are objectionable, the college suffers by attracting students who come chiefly for that purpose.
3. Although it is said that vigorous promotion of intercollegiate athletics is desirable in order to attract star athletes to the college, yet this begs the question, because it holds that a policy should be pursued because it tends to perpetuate activities the value of which are under dispute.

CONCLUSION

I. Since there are evils of intercollegiate athletics which can be overcome only by abolishing intercollegiate athletics, in that

- A. They are necessarily antagonistic to scholarship.

- B. They are necessarily antagonistic to the physical well-being of all students.
- C. They are necessarily immoral in some of their influences.

II. Since it is not possible to make intercollegiate athletics yield benefits which can be gained in no other way, in that

- A. They create no desirable college spirit which cannot be created in other ways.
- B. The spirit they create does not promote the general welfare of the college.

Therefore, intercollegiate athletics should be abolished.

VI. SUMMARY OF THE RULES FOR CONSTRUCTING THE BRIEF

1. A brief should be divided into three parts: Introduction, Proof, and Conclusion.
2. A brief should contain nothing but complete statements.
3. Each statement should be marked by a single symbol to indicate its relation to other statements.
4. The Introduction should contain as much information and as many of the steps in analysis as are necessary for an intelligent reading of the Proof.
5. Each of the steps in analysis should be clearly indicated as such.
6. The Introduction should set forth the main issues.
7. The Introduction should exclude every statement which requires proof.
8. In the Proof each main statement should correspond to one of the main issues set forth in the Introduction, and thus stand as direct proof of the truth of the Proposition.
9. Each sub-statement should help to prove the truth of the statement to which it is subordinate.
10. When two or more statements do not stand in the relation of proposition and proof, but as coördinate parts of one piece of evidence, this relationship should be shown by symbols.

11. Each symbol should stand for a single statement.
12. Each heading of the refutation should state clearly the argument to be refuted.
13. The conclusion should be nothing but a summary, without qualification or other change of phrasing, of the main parts of the argument, followed by an affirmation or denial of the proposition just as it stands at the head of the brief.

EXERCISES FOR THE THIRD CHAPTER¹

1. Study the brief on the Annexation of Cuba [Appendix VI] to determine whether the rules of brief-drawing have been observed throughout.
2. Does the brief in Appendix I follow the first seven rules of brief-drawing?
3. Let each member of the class draw a brief of the Address of Woodrow Wilson in Appendix XIII.
4. Let each member of the class be assigned an argument for an exercise in brief-drawing. (See the Appendix for various examples.)
5. Criticize the following specimen introduction:—

Should every able-bodied American youth be required to serve in the militia for a period sufficient to give a reasonably adequate military training?

I. The present methods of military training in the United States are as follows:—

- A. The training of officers at West Point;
- B. The training of volunteer citizens in the National Guard;
- C. The training of students in agricultural colleges and in military schools throughout the country.

II. Definition of terms:—

- A. Militia is now known as National Guard;
- B. A reasonably adequate military training is a working knowledge of the drills and army regulations.

¹ Wherever time permits a more extensive study of the brief than is here suggested, the use of *The Brief*, by Carroll Lewis Maxey, as a supplementary text, should be considered. (Houghton Mifflin Co. 1916.) The book contains specimens of good and of bad briefing and arguments to be briefed. It is the best book on the subject.

III. It is granted that the United States should be prepared for war, no matter how remote any danger seems.

IV. The points of special issue are as follows: —

- A. Does the present system of military training properly insure the United States against sudden war?
- B. Would a compulsory system of militia service afford better protection to the United States in case of war or internal disorders?
- C. Would such a system be too great a burden upon the nation?
- D. Is such a system against the principles of democratic government?

6. What modification in the issues of Brief C would be desirable as a basis for a speech before the student body of your college?

7. After having decided on the questions for the first briefs in such a way that the class will be divided into pairs, each pair having a different question, and each student having the opposite side of the question from that supported by his co-worker, let each pair exchange briefs and apply the rules of brief-drawing to each other's briefs.

FOURTH CHAPTER

PROVING THE PROPOSITION: EVIDENCE

“Even the most cultivated portion of our species have not yet learned to abstain from drawing conclusions for which the evidence is insufficient.” — MILL.

HAVING first phrased the proposition with clearness and precision, and having next discovered by analysis the main issues involved, we have before us the problem of establishing or overthrowing the proposition: having determined just what must be proved, we have next to consider the means of proof.

“Proof is the sufficient reason for assenting to a proposition as true.”¹ The material of Proof is Evidence. Evidence is everything which ought to bring or tend to bring the mind to the conviction of the truth or falsity of a proposition. The finding and employing of Evidence is the business of argumentation. In proving the proposition, then, we meet at once the necessity for Evidence.

I. THE NECESSITY FOR EVIDENCE

Washington Irving says, in the *Salmagundi Papers*, that Straddle “became at once a man of taste, for he put his malediction on everything; and his arguments were conclusive, for he supported every assertion with a bet.” Straddle’s method was not original, and it is not obsolete. On the contrary, it is the main reliance of people who are unable to prove their contentions with evidence. Sweeping condemnation and vehement assertion are offered in place of proof. No fault is commoner in argumentation than unsupported assertion.

¹ Wharton’s *Criminal Evidence*, p. 3.

Any one who hopes to produce conviction in the minds of others must remember that evidence is the only material of proof. He must guard his every statement with vigilance, lest he fall into the weakness of asking his audience to believe that things are so merely because he says they are so. A man's mere "say-so" has value under one condition and only one, namely, when he is accepted by the audience as an authority on the question at issue. Unless a student of argumentation has attained that eminence, he must make sure that every statement is supported by evidence, and that the evidence is sufficient.

Let the student remember, then, that for purposes of proof, we do not care what he thinks. The reasons why he holds certain opinions may interest us, but as evidence the opinions are worthless. William Black says that in reading the proofs of a novel, he discovered that the printer had made his heroine, who was to die of an overdose of opium, die of an overdose of opinion. Debates, stump-speeches, sermons, editorials, are every day dying of overdoses of opinion. Shun, therefore, all such openings as "I think," "I believe," "It seems to me." They point to the weak spots of mere assertion.

In the following rebuttal speech, a Bowdoin College debater once exposed the weak spots of mere assertion in the preceding speech: —

It is especially essential in a debate of this character that all our evidence be firmly substantiated. The case as it stands clearly puts Leopold on trial for alleged murder in the Congo Free State. Such being the case, we cannot depend for our verdict on any but the surest and strongest evidence. The great fault of the evidence thus far presented by the gentlemen of the Affirmative, if I may call it a fault, is their unsupported assertion. They say that the situation in the Congo State is worse than slavery; but to prove that, they must make a comparison of slavery with the conditions in the Congo Free State. This they have not done. "We know Leopold to be a tyrannical rake," they say. They have not proved it. "His greed is self-evident," they say. We cannot accept their word for it. They offer

us evidence drawn from a state of affairs "too fearful to relate." If that evidence is "too fearful" to be presented in this debate, it surely cannot be allowed to play any part in our decision. "The conditions of the natives' slavery are of the most abominable sort: on this point there can be no doubt," says the Affirmative. Here again the condition of comparison, to determine what is "the most abominable sort," is entirely lacking; and in regard to the question of "doubt," I have already shown that even Anti-Congo agitators admit that slavery has been practically stamped out. These are a few evidences of unsupported assertion, and there are many more in our opponents' arguments.

The first attitude toward the material of proof should be scientific. Huxley says, "Scientific men get an awkward habit — no, I shall not call it that, for it is a valuable habit — of believing nothing unless there is evidence for it; and they have a way of looking upon belief which is not based upon evidence, not only as illogical but as immoral."¹

Every one, even though he make no pretense at public speaking, should form the habit of accepting nothing and offering nothing for the truth without sufficient evidence. Columbus and his crew swore that the island of Cuba was the mainland, and any one on the ship who dared to contradict this was to have his tongue slit. As though any amount of assertion could make a continent! Yet the folly of Columbus is the folly of every man who rests any essential step in his argument on mere assertion. "That a story will account for certain facts, that we wish to think it true, nay, that many have formerly thought it true and have grown faithful, humble, charitable, and so on, by thus doing, does not make the story true if it is not, and cannot prevent men after a certain time from seeing that it is not. And on such a time we are now entering."² Whatever is to stand must rest on something which is verifiable, that is to say, on sufficient evidence.

For the purpose of weakening the arguments of the other

¹ *American Addresses*, p. 21.

² Matthew Arnold, *God and the Bible*.

side, assertion is equally useless. Much of the so-called rebuttal in debating resembles a childish dispute: “ ‘T is.’ ” “ ‘T ain’t.’ ” “ ‘Tis.’ ” “ ‘T ain’t.’ ” At the end of an evening of such quarreling, neither side has accomplished anything. As rebuttal, assertion in debate is about as effective as when a mother, who is cornered in error by the questioning of a child, sweeps the discussion away with the remark, “ You are not old enough to understand.”

Lincoln, after pointing out what seemed to be the logical reason why Douglas and his friends refused to adopt the Chase amendment, said: —

And now I say again, if this was not the reason, it will avail the judge much more to calmly and good-humoredly point out to these people what that other reason was for voting the amendment down, than swelling himself up to vociferate that he may be provoked to call somebody a liar. . . . If I have brought forward anything not a fact, if he will point it out, it will not even ruffle me to take it back. But if he will not point out anything erroneous in the evidence, is it not rather for him to show by a comparison of the evidence that I have reasoned falsely, than to call the “kind, amiable, intelligent gentleman” a liar? If I have reasoned to a false conclusion, it is the vocation of an able debater to show by argument that I have wandered to an erroneous conclusion.¹

A man who offers his own statement as sufficient evidence may have something in common with a certain lawyer. When asked, “ Who is the most eminent lawyer in this city? ” he replied, “ I am.”

“ But where is your proof? ” rejoined the other.

“ I don’t require proof, ” said the lawyer; “ I admit it.”

Concerning the worth of an assertion, there can be no appeal from the decision of the audience. If they question the authority or the veracity of the speaker, his statements are mere assertion, and as such, regardless of their truth or falsity, require the support of evidence acceptable to the doubting audience.

¹ Lincoln’s *Complete Works*, vol. 1, p. 294. (The Century Company.)

Imperfect analysis and unsupported assertion are the two great weaknesses of argumentation; and of these the more insidious is unsupported assertion.

II. TWO KINDS OF EVIDENCE

In each of the following paragraphs, the bare assertion of the opening sentence is supported by evidence: —

(1) Some of the simpler forms recommended by the Simplified Spelling Board merit adoption. More than one half are preferred by Webster's Dictionary, more than six tenths are preferred by the Century Dictionary, and two thirds are preferred by the Standard Dictionary. Nearly all the rest are allowed by all three dictionaries as alternative spellings in good usage. And if the authority of the dictionaries is not sufficient, why not accept the authority of the greatest names in English literature? The appearance of the simpler forms, *blest*, *dropt*, *stept*, *stopt*, and the like, in the works of Spenser, Shakespeare, Jonson, Bacon, Raleigh, and the rest, was no innovation, but was the accepted usage of the age. Besides the forms mentioned in the list, Spenser has *askt*, *laught*, *purchast*, and the like in endless profusion. Shakespeare has similar forms on every page of the original texts. Ben Jonson (in his *Workes*, 1616) has *checkt*, *dis-mist*, *lockt*, and the like. Milton, Fuller, Bunyan, Cowley, Butler, Dryden, Addison, Pope, Thomson, Goldsmith, and all their contemporaries use similar forms, as do such modern writers as Scott, Keats, Lamb, Landor, and Tennyson. Surely the common or frequent use of a spelling by nearly all the standard authors justifies its acceptance or resumption by present writers.

(2) The anomalies and perversities of English spelling call loudly for simplification. There is a widespread conviction that the English language, in its progress toward becoming an international language, is hampered by this one thing, — its intricate and disordered spelling, which makes it a puzzle to the stranger within our gates and to the stranger beyond the seas. It is a burden to every writer of English. It wastes much of the time, money, and energy expended in the instruction of our children. Moreover, the printing, typewriting, and handwriting of the useless letters which encumber our spelling waste every year millions of dollars. Since, then, the reasonable and gradual simplification of our spelling will aid the spread of English, with the attendant advancement of commerce, of democratic ideals, and of intellectual and political freedom; will economize the time of

our school-children and make their work more efficient, and will in numerous other ways economize both time and money, this reform should commend itself to common sense, to patriotism, and to philanthropy.

There is a difference between the kinds of evidence employed in these two paragraphs. The first endeavors to carry its point by citing authorities, the second by giving reasons.

The first kind of evidence — testimony of authorities as to facts — we shall consider at once. The second kind of evidence — reasoning about facts — we shall consider in the three succeeding chapters.

III. EVIDENCE FROM AUTHORITY

Although the direct evidence of one's own senses is not always trustworthy, nevertheless such evidence is commonly regarded as the most convincing. Mark Twain once sent this cablegram from Europe, "The reports of my death are greatly exaggerated." One asks for no better proof that a man is alive than to see that man walk into the room. The observation of any person, however, is extremely limited. His beliefs and conduct are determined partly by what he learns from other people. Only a few men have the opportunity to visit the Panama Canal, or to estimate the physical valuation of railroads, or to become acquainted with the candidates for public office, or to look into the coal supply of Alaska, or to observe how the Armenians are cared for, or to take a census of Hawaii. Many of our opinions, therefore, must be reached through reasoning which is based principally on facts vouched for by the testimony of authorities.

Take, as an example, the question whether the United States has a right to intervene to protect the natives of the Congo Free State. This is a question of law, and we cannot begin to reason about it without opinions of legal authorities to start with. The following quotation from a rebuttal speech in a debate at Clark College shows the proper use of authorities:—

It is said that international law does not allow the United States to interfere in the Congo. But all authorities admit that a concert of nations has the perfect right to take action on the ground of humanity. Bluntschli says, "The action of the Christian powers of Europe in favor of the Greeks affords a further illustration of the principle of international law authorizing such an interference." Calvo and Fiore think "that states can interfere to put an end to crime and outrageous slaughter." Mr. Hall, on page 291, sanctions this right. Vattel considers it "permissible to succor a people suppressed by its sovereign." Our opponents have admitted that a few international law authorities permit interference in extraordinary circumstances. We have already shown that the situation *is* extraordinary, and after showing you that noted international law authorities sanction such a movement as we propose, we again affirm that the United States should inaugurate a movement for reforms in the Congo.

In support of the reasoning itself, however, the citation of authorities is useless. Their part is to furnish the facts about which we reason. We may appeal to the authority of the Constitution to establish the fact that "all treaties made or which shall be made, under the authority of the United States, shall be the supreme law of the land." We may appeal to the authority of the Hay-Pauncefote Treaty, entered into between the United States and Great Britain in 1901, to establish the fact that the Panama Canal "shall be free and open to vessels of commerce and of war of all nations observing these rules, on terms of entire equity, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise." But, starting with these facts, we may draw our own conclusion that the United States cannot honorably exempt any vessels from the payment of canal tolls. The validity of the reasoning process does not depend on authorities.

Debaters, as a rule, rely too much upon quotations, too little upon their own reasoning. It matters not how well known a man may be; his opinion on most subjects is, after all, only his opinion. That is one of many reasons why

we should discourage the practice among debaters of writing to people for their opinions. On matters of principle, many prominent men hold one opinion; many equally prominent men hold the opposite opinion. Is universal military service in the United States desirable? Many say "yes" — with great emphasis: many say "no" — with equal emphasis. A seeker after truth is not greatly helped by the sum total of their *opinions*. He is helped if they reason cogently on the question, — not because they are authorities, but because they reason cogently.

In legal proof the testimony of witnesses as to *fact* and the testimony of authorities as to *principle* are clearly distinguished. The attempt to establish facts is made in law courts mainly through *witnesses*, the cross-examination of these witnesses and the handling of their testimony being one of the chief concerns of the lawyer. The attempt to establish legal principles is made through the citation of *authorities*, that is to say, tradition and precedents as determined by the decisions of the courts. According to legal usage, then, we may define a *witness* as one giving testimony concerning a disputed fact and an *authority* as a person or persons competent to give judgment as to principles or other inferences from fact.

In the broader field of argumentation, however, we need not insist on this legal distinction. For our purpose, we may regard as an *authority* any person or any other source of information — the United States Census, for example — especially competent to give any testimony regarding the point at issue. Whether the *authority* is brought forward to establish facts or to establish principles, we may estimate trustworthiness by the same tests.

IV. TESTS OF EVIDENCE FROM AUTHORITY

The so-called "authority" must be sharply scrutinized.

In the first place, accurate *observation* is beyond the power

of most people. Let a dozen men and women, with the same opportunities for observation, report on an automobile accident, or the service of a municipal ferry, and they will not agree even on all the essential particulars.

In the second place, a person cannot come as near the truth in *expression* as he can in observation. For, although it is supposed to be easy to tell the truth, it is, as a matter of fact, far from easy. Language is at best so inexact an instrument, "such a poor bull's-eye lantern wherewith to show off the vast cathedral of the universe," that it plays tricks even with the most exact of scholars. Every one discovers at times how difficult it is to say exactly what he means.

In the third place, the *special incompetence* of a person, his physical, mental, or moral peculiarities, his preconceived notions or personal desires, or his lack of opportunity to know and to observe, may render his testimony worthless.

For these reasons few people believe that whatever appears in print is true, but many cling to the notion that somehow the printing of a statement does give it some claim to dignity and credence. For the purposes of argumentation, let us make this point emphatic: the mere fact that a statement appears in print lends nothing to its value. Every assertion that is brought forward — though it may have been printed a thousand times — must be challenged and tested before it can be regarded as trustworthy testimony of authority, — before it can be of any value as evidence.

1. Is the reference to authority definite? The reference to the source of authority should, as a rule, be definite. Such vague phrases as the following, common though they are, are worthless as proof: —

Statistics gathered with great care show —
It may be said on substantial authority —
Many prominent men agree —
Competent authorities say —
We could give hundreds of cases to show —
Recent writers on this subject declare —

If the question concerns government ownership of munition plants, it is bare assertion to say that the Government can save money by making its munitions. It is not much better to add that Secretary Daniels says so. It is more convincing to say, "Secretary of the Navy Daniels, in his Report for the year 1913, declares that 'the Navy Department, in what it manufactures, does so, from a superdreadnaught to a gallon of paint or a pound of powder, cheaper than the same can be purchased.'" It is still more effective to add more definite citations, for example: "Secretary Daniels says, on page 10 of his latest Annual Report, that at the government torpedo works at Newport, R.I., 'the cost of manufacture of each torpedo has been reduced from \$4200 to \$3200. These torpedoes, if bought at the only private torpedo plant in the country, would cost \$5000.'"

In trying to prove that the United States has no right to intervene in the Congo Free State, one might say: "An eminent authority, who is in a position to know the facts, says in a letter of recent date, that this country, on account of certain negotiations, has no right to intervene in the Congo." But such a citation would be too vague to carry weight with competent judges. Indeed, it might only arouse suspicion as to the reliability of a witness and a letter to which one dared refer only at arm's length. Observe the gain in strength when this reference to authority is made definitely: —

Hon. John A. Kasson, United States delegate to the Berlin Conference, in his letter quoted in the *Boston Transcript* of April 17, 1906, says: "The United States, through the failure of the Senate to ratify the Berlin Act, failed to become a party to the contract, and only contracting parties have the right to insist upon the due observance of all the clauses of the contract." Clearly, then, the United States officially and deliberately refused to assume the special right to interfere. Therefore, we by no means stand sponsor, as our opponents contend, for the Congo Free State.

In a debate on the proposition, "The United States should

subsidize the American Merchant Marine," a speaker said: "That American shipping needs no subsidies is shown by the fact that an American capitalist has put millions of American capital into the business." But, while the speaker rushed on to new assertions, the audience found themselves asking: "Who is this man? What is the source of your information? Under what conditions, in what manner, at what place, and at what time were these investments made?"

Unless the persons addressed are likely to accept a given citation without question, the reference should be sufficiently exact to enable any one, if he wishes, to look up the original source for himself. To quote "House Report 32," or "an official report of the Treasury Department," or "Volume 33 of the *Forum*," or "a recent book on the war," is to substitute a weak, general reference for a strong, specific reference.

Goldsmith's *Citizen of the World* reports a story heard from his landlady, who had it from one neighbor, who had it from another neighbor, who heard it on very good authority. That is called *hearsay evidence*. Its value does not depend wholly on the credit to be given one person, but also on the veracity and the competency of other persons. The objections to hearsay evidence, for purposes of argument, are (1) the variations from truth liable to occur during its passage through such fallible media as human minds and language, and (2) its irresponsibility. So small are the chances of getting the truth unblemished through such a course, and so great is the difficulty of calling it to account, that hearsay evidence is weak at one remove from the original source, and in a few removes may become worthless. Its intrinsic weakness, its incompetency to satisfy the mind as to the existence of the fact, and the frauds that may be practiced under its cover, combine to support the rule that hearsay evidence in courts of law is usually inadmissible. It is true that outside of the courts, there is no obligation to abide strictly by court rules; but the objections to hearsay testimony are valid

anywhere. It is too indefinite to be given any weight as authority.

2. Is the authority capable of giving expert testimony? The value of expert testimony depends on the judgment of the audience concerning the special ability of the witness to speak on the point at issue. Assuming that he is honest, and void of any special interest in the case to be decided, his testimony is valuable in proportion to his mastery of the subject. Experts on mental diseases are constantly called in court to testify as to the sanity of prisoners; engineers are called to give expert opinion as to the condition of bridges; expert foresters are engaged to estimate the value of timberlands. But each man's judgment is given special consideration only on those subjects in which he is especially skilled.

Even expert testimony must be closely scrutinized. A first reason is that the expert is inclined to be prejudiced in favor of the side that calls him to its support and pays him for his testimony. A second reason is that in almost every issue, specialists can be found by both sides: some to testify that the blood is human, others that it is not human; some to testify that the signature is genuine, others that it is a forgery; some to testify that the milk is adulterated, others to affirm that it is pure. "The devil can cite Scripture to his purpose."

"What the telescope can assure us of; what the microscope can assure us of; what we can be assured of by chemical tests; what we can be assured of by careful induction produced by long and accurate observation — as to all these lines of information experts are summoned to give their testimony under oath. They are, in the main, highly cultivated men, sensitively conscientious. They are usually selected from among the front ranks of their class. They have ample time given to them for their investigations. They are liberally paid for their services, so as to enable them to take any trouble requisite for their special inquiries. Yet, notwithstanding

standing this, there is scarcely a case in which expert testimony is summoned where we do not find, after two or three experts have testified on one side, about the same number ready to testify on the other side.¹"

3. Has the authority had sufficient opportunity to know the facts? Expert testimony is satisfactory only when the authority is accepted as an expert on the subject by those whom we are seeking to convince: otherwise the words of the expert — no matter how competent he may be — are only assertion and in as much need of evidence as any other unsupported assertion.

Accordingly, it is often necessary to apply other tests even to experts. Why do we give special weight to the words of Luther Burbank concerning the care of orange groves, to the words of Henry Ford concerning the economic effects of an eight-hour day, to the words of Andrew Carnegie concerning the needlessness of a tariff on steel, to the words of Commander Peary concerning the construction of an Arctic sledge, to the words of Charles W. Eliot concerning the form of government for a privately supported university, to the words of Wilfred Grenfell concerning the needs of the children of Labrador and to the words of Herbert Hoover concerning the treatment of the Belgians? We value the testimony of these men on these subjects primarily because they have had special opportunities to know the facts whereof they speak. But we do not ask for Mr. Ford's opinion on fruit or Mr. Burbank's on finance. No man's acquaintance with the facts in any one field makes him an authority in a different field. Whatever other tests we apply, we always ask whether the experience of the authority should have given him sufficient knowledge concerning the particular point at issue.

4. Is the authority prejudiced? The reason why we dis-

¹ Francis Wharton, *A Treatise on the Law of Evidence in Criminal Issues*, p. 12.

trust prejudiced authority is grounded in human nature itself; and is quite apart from the question of the integrity of the authority. A prejudiced man sees evidence in a distorted way; he has a keen eye for what supports his own interests or opinions and is liable to overlook the rest. He is inclined to evade complete research when he has an instinctive feeling that the results will not be pleasing to him; he is inclined to carry his arguments only far enough to support his preconceived notions, instead of pushing them rigorously to their logical conclusions. His desire that such and such should be the truth tends to make him believe that it is the truth. For these reasons his testimony is not wholly trustworthy, no matter how sincere may be his beliefs.

It is therefore weak to quote, in favor of shipping subsidies, the opinion of a shipbuilder; or the testimony of the owner of a stockyard as to the need of government inspection. If the president of a temperance union and the head of a brewery should have exactly the same opportunities for observation, and should be equally honest, their reports of the working of the prohibitory law in Butte would probably vary. This is common experience. Prejudice narrows the vision, distorts the view, colors all the objects of sight, and obscures the very reasoning process itself.

Burke, in his speech at Bristol, tried to show that he was not prejudiced: —

I confess to you freely that the sufferings and distresses of the people of America, in this cruel war, have at times affected me more deeply than I can express. . . . Yet, the Americans are utter strangers to me; a nation among whom I am not sure that I have a single acquaintance.

Senator Thurston opened his speech on "Affairs in Cuba" in this way: —

I went to Cuba firmly believing that the condition of affairs there had been greatly exaggerated by the press, and my own efforts were directed in the first instance to the attempted exposure of these sup-

posed exaggerations. There has undoubtedly been much sensationalism in the journalism of the time, but as to the condition of affairs in Cuba there has been no exaggeration because exaggeration has been impossible.¹

Lord Erskine, in the House of Commons, opened a plea with an attempt to show that if he had any prejudice, it was against his client:—

GENTLEMEN OF THE JURY, — Mr. Stockdale, who is brought as a criminal before you for the publication of this book, has, by employing me as his advocate, reposed what must appear to many an extraordinary degree of confidence, since, although he well knows that I am personally connected in friendship with most of those whose conduct and opinions are principally arraigned by its author, he nevertheless commits to my hands his defense and justification.

Gilbert Murray, in opening an argument in defense of Great Britain's declaration of war against Germany, endeavored to show that his prejudices were all against war:—

I have all my life been an advocate of Peace. I hate war, not merely for its own cruelty and folly, but because it is the enemy of all the causes that I care for most, of social progress and good government and all friendliness and gentleness of life, as well as of art and learning and literature. I have spoken and presided at more meetings than I can remember for peace and arbitration and the promotion of international friendship. I opposed the policy of war in South Africa with all my energies, and have been either outspokenly hostile or inwardly unsympathetic towards almost every war that Great Britain has waged in my lifetime. If I may speak more personally, there is none of my own work into which I have put more intense feeling than into my translation of Euripides' *Trojan Women*, the first great denunciation of war in European literature. I do not regret any word that I have spoken or written in the cause of Peace, nor have I changed, as far as I know, any opinion that I have previously held on this subject. Yet I believe firmly that we were right to declare war against Germany on August 4, 1914, and that to have remained neutral in that crisis would have been a failure in public duty.

Thus a speaker endeavors to show that he himself is free

¹ John M. Thurston, U.S. Senate, March 24, 1898.

from prejudice, and that the authorities he cites are prejudiced, if at all, in favor of the causes against which they are compelled to furnish evidence.

5. Is the authority reluctant? Testimony which is given reluctantly is especially valuable because of the increased probability that it is true. The unwilling admissions of an opponent are strong material for evidence. Lawyers make the most of whatever concessions they can wring from the other side. The statement of Andrew Carnegie, before a committee of Congress, to the effect that the steel industry in the United States needed no protection, was regarded as strong evidence, not only because he had had ample opportunity to know the facts, but as well because the admission was against his financial interests. Burke used the unwilling testimony of Lord Dunmore, Governor of Virginia, to the effect that the colonists were capable of self-government. As Dunmore was considered a bitter enemy of the colonies, his admission was strong evidence. The statement of a mill-owner to the effect that more stringent child-labor laws should be passed would be a concession, if such laws were liable to decrease the profits of his mill.

Even a reluctant authority may have ulterior motives. What is damaging to himself considered from one viewpoint may be advantageous from another. The mill-owner, for example, may have political aspirations, or he may be eager to damage a rival manufacturer, or he may be seeking to divert attention from other questions relating to his affairs, or he may be about to retire from business. In any such case, his admissions concerning the abuses of child-labor could not be given the weight usually attached to reluctant testimony.

6. Is the authority aware of the significance of his testimony? Remarks which a person makes incidentally, with no idea of their bearing on the question at issue, are more likely to be true than other testimony, since people who swear

falsely take most pains with the aspects which seem to them most important. Yet an incidental and unpremeditated remark may be enough to win or lose a case.

An editorial from the *Chicago Herald* points out the force of undesigned testimony: —

Maroney is reported as saying that "there was not a member of the Clan-na-Gael but that wanted the murderers of Dr. Cronin discovered and punished"; and, he added, "The records of the Clan-na-Gael will show that I have always opposed murders, or assassinations, for revenge or for any cause whatever." This is the most significant and startling confession yet made. That it was unpremeditated, and uttered while the speaker was apparently in a state of considerable excitement, if not alarm, is evident; and that adds to its importance. The inference is inevitable. If the records of the Clan-na-Gael show that Maroney "always opposed murders and assassinations for revenge," they must show that measures of murder and assassination were considered by the Clan-na-Gael, and were an essential part of its methods.

Undesigned testimony (or incidental testimony, as it is sometimes called) owes its special effectiveness to the very fact that the authority is unaware of its significance.

If, on the other hand, it can be shown beyond a reasonable doubt that testimony was deliberately designed for a special purpose, its trustworthiness may be open to question on that account.

7. **Is too great reliance placed on one authority?** Writers and speakers seldom address a group of people who are willing to accept the testimony of any one man as final. To rely on one authority is therefore dangerous. Moreover, the repeated reference to one book, one report, one source of information, does not indicate that breadth of investigation on the part of a writer which invites confidence in his words.

The Concurrent Testimony of two or more authorities to the same essentials, where there has been apparently no opportunity or motive for previous agreement, strengthens the probability of truth. Thus, Burke, in speaking of the re-

peal of the Law of 1699 against Roman Catholics, pointed out the force of concurrent testimony:—

With this mover and this seconder agreed the whole House of Commons; the whole House of Lords; the whole bench of bishops; the King; the Ministry; the Opposition; all the distinguished clergy of the establishment; all the eminent lights (for they were consulted) of the dissenting churches. . . . In weighing this unanimous concurrence of whatever the nation has to boast of, I hope you will recollect that all these concurring parties do by no means love one another enough to agree in any point which was not both evidently and importantly right.¹

Another example of concurrent testimony is from an address by Dr. Dudley A. Sargent:—

As a matter of fact, criminals, dullards, the feeble-minded, and the insane as a class are considerably below the average normal individual in physique, as shown by height and weight, while the members of any organization known for distinguished mental ability, like those of the Royal Society of England, will be found to be above the average normal height and weight. By ascertaining the physical condition of large numbers of people the natural correlation between body and mind may be readily shown. In the year 1893, Dr. William T. Porter examined some thirty thousand children who were in the public schools of St. Louis. He found that, among pupils of the same age, the average height and weight of those who were of the higher grades was greater than that of those who were in the lower grades. In other words, he found that those pupils who were mentally the most precocious were also physically the most precocious. This announcement called forth considerable criticism at the time, and many teachers, recalling a number of exceptionally bright pupils who were small in stature for their age, doubted the truth of the statement. It may be of interest, therefore, to note that Dr. Porter's conclusions have since been confirmed by observations made by Dr. Hastings in Omaha, Nebraska, Dr. Byer in Cambridge, Dr. Christopher in Chicago, by Dr. Roberts in London, England, and by Dr. Leharzig in St. Petersburg, Russia. In face of such a body of concurrent statistics from different parts of this country and Europe, no one can doubt for a moment the natural relationship between a vigorous brain and a vigorous body.

¹ Burke, *Speech at Bristol*, September 6, 1780.

In his speech on the Dred Scott Decision, Lincoln thus tests the Supreme Court as an authority in this particular case: —

Judicial decisions are of greater or less authority as precedents according to circumstances. That this should be so accords both with common sense and the customary understanding of the legal profession.

If this important decision had been made by the unanimous concurrence of the judges, and without any apparent partisan bias, and in accordance with legal public expectation, and with the steady practice of the departments throughout our history, and had been in no part based on assumed historical facts, which are not really true; or, if wanting in some of these, it had been before the court more than once and had there been affirmed and reaffirmed through a course of years, it then might be, perhaps would be, factious, nay even revolutionary, not to acquiesce in it as a precedent.

But when, as is true, we find it wanting in all these claims to the public confidence, it is not factious, it is not even disrespectful, to treat it as not having yet quite established a settled doctrine for the country.

8. Is the authority used by opponents? Sometimes it is effective to quote, in favor of your side of the question, an authority already used by the other side. Presumably they will be forced to recognize the source as good. But you should guard against the error of concluding that the authority is sound simply because employed by the other side. The audience may regard the source as useless for either side. If possible, quote a *later* opinion of a given authority than that quoted by your opponents, and show reasons for the change of opinion.

In a debate, one speaker quoted a passage from John Stuart Mill's *Essay on Liberty* in which he condemned the Maine law prohibiting the sale of intoxicating liquors. The next speaker presented in refutation the following passage from the same author: "As soon as any part of a person's conduct affects prejudicially the interests of others, society has jurisdiction over it. . . . To individuality should belong

the part of life in which it is chiefly the individual that is interested; to society the part which chiefly interests society. . . . Whenever, in short, there is a definite damage, or a definite risk of damage, either to an individual or to the public, the case is taken out of the province of liberty, and placed in that of morality or law." Having cited this quotation, the debater then showed that it nullified the one from the same authority used by the previous speaker.

9. Is the authority likely to be accepted? A writer or speaker should constantly keep his audience in mind. All other tests of authority should be applied with reference to this final test, — Is the authority likely to be accepted as such by the particular audience? A speaker cannot afford to spend his time in urging an authority on unwilling ears. The effectiveness of the authority is determined rather by the confidence his name inspires in the audience than by the speaker's high opinion of him.

Let us repeat. The moment the audience doubts either the honesty of an authority or his fitness to speak on the subject at hand, his words are for them mere assertion, in need of supporting evidence, quite regardless of the question whether the doubts of the audience are justified.

SUMMARY OF THE TESTS OF AUTHORITY

1. Is the reference to authority definite?
2. Is the authority capable of giving expert testimony?
3. Has the authority had sufficient opportunity to know the facts?
4. Is the authority prejudiced?
5. Is the authority reluctant?
6. Is the authority aware of the significance of his testimony?
7. Is too great reliance placed on one authority?
8. Is the authority used by opponents?
9. Is the authority likely to be accepted?

V. DIRECT AND INDIRECT EVIDENCE

As practice in testing evidence to determine its worth, the attempt to classify evidence as Direct and Indirect is valuable. Not that any scientific classification is possible; on the contrary, no divisions can be discovered which are mutually exclusive.

Lincoln, throughout the debates with Douglas, tried to show by indirect evidence "that there was a tendency, if not a conspiracy, among those who have engineered this slavery question for the last four or five years, to make slavery perpetual and universal in this nation." After having presented the evidence which he thought tended to prove that proposition, he concluded with this illustration:—

We cannot absolutely know that these exact adaptations are the result of pre-concert, but when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places, and by different workmen — Stephen, Franklin, Roger, and James, for instance; and when we see these timbers joined together, and see they exactly make the frame of a house or a mill, all the tenons and mortises exactly fitting, and all the lengths and proportions of the different pieces exactly adapted to their respective places, and not a piece too many or too few, — not omitting even the scaffolding, — or if a single piece be lacking, we see the place in the frame exactly fitted and prepared to yet bring such piece in — in such a case we feel it impossible not to believe that Stephen and Franklin and Roger and James all understood one another from the beginning, and all worked upon a common plan or draft drawn before the first blow was struck.

This quotation from Lincoln well illustrates the nature of indirect evidence.

There is one kind of indirect evidence which is called Negative Evidence, or the Testimony of Silence. If there is reason to suppose that a fact would have been mentioned if it had existed, the absence of such mention is negative evidence — the testimony of silence — tending to show that the fact never existed. For example, if the catalogues and records

of a given college nowhere reveal the name of Arthur Brown, there is strong presumption against the belief that he was ever a student at that college. The silence is ominous.

The following argument makes use of Negative Evidence:

There is nothing to indicate that the starting of the Latin School was, at the time, considered a matter of consequence. Governor Winthrop's journal treats of everything which the leading men in the colony considered at all important, — of many things which seem to us very unimportant, — but it contains no reference to this school.

Burke uses Negative Evidence in the following passage: —

We see the sense of the Crown, and the sense of Parliament, on the productive nature of a revenue by grant. Now search the same journals for the produce of the revenue by imposition. Where is it? Let us know the volume and the page. What is the gross; what is the net produce? To what service is it applied? How have you appropriated its surplus? What! Can none of the many skillful index-makers that we are now employing find any trace of it? Well, let them and that rest together. But are the journals which say nothing of the revenue, as silent as to the discontent? Oh, no! a child may find it. It is the melancholy burthen and blot of every page.

Most people are accustomed to govern their conduct in matters of great importance by inference from indirect evidence. And such inference is frequently warranted by a body of facts which apparently allow but one conclusion. Suppose that a sheriff has been murdered. Suppose a man of bad reputation profited by the death; suppose the sheriff had recently extorted from that man evidence sufficient to convict him of a crime; suppose the man could not prove that he was elsewhere at the time of the murder; suppose, finally, chemical analysis discovered fresh blood spots on the coat worn by that man on the day of the murder. These facts are not *direct* evidence on the question at issue, namely, who killed the sheriff? But all these facts working together, considered in relation to each other, and in the absence of contradictory evidence, might make such a body of *indirect* evidence as to convict the suspected man.

Indirect evidence, to be convincing, must not only indicate the truth of the conclusion, but be inconsistent with any other conclusion. It was the incredible ability of Sherlock Holmes to interpret indirect evidence that opened the novels of A. Conan Doyle to gentle ridicule. Even though one conclusion was as consistent with the known evidence as another, the author had his hero hit upon the right conclusion every time.

Indirect evidence alone is not absolute proof. Suppose an athlete, known to be without money of his own, suddenly leaves R—— College, and gives no reason for so doing, even to his best friends. The next day he is enrolled in S—— College, where the expenses are much higher, and soon shows that he has plenty of money. He is suspected of receiving money to play on the teams of that college. Now a man testifies that he saw in the hands of that athlete a check made out in his name by the treasurer of the athletic association of that college. All this is indirect evidence tending to prove that the athlete is paid for his services on the college team. But such evidence is not conclusive. It may be that a relative has just become interested in the man, because of his success at R—— College, and has decided to pay his college expenses in full. So the man goes to S—— College, which he has been prevented from attending because of its higher expenses. He does not tell his friends at R—— College his reason for leaving, because he dislikes to hurt their feelings. Later, on one of the trips of the baseball team, he has paid his own expenses, and the check is thus explained. Indirect evidence is never absolute proof.

But, for that matter, the direct evidence of one's senses may be untrustworthy, even though corroborated by the concurrent testimony of men of unquestioned integrity. The performance of a magician shows the need of exceeding care in testing even direct evidence. A hundred men may agree that they saw Kellar put one hundred silver dollars

into a silk hat, and lo, the hat is empty. A dozen men may go upon the stage to make sure that the magician actually locks a dozen canaries in a strong trunk, and when the trunk is opened, lo, there are no birds to sing.

“You see a man discharge a gun at another; you see the flash, you hear the report, you see the person fall a lifeless corpse, and you *infer* from all these circumstances that there has been a ball discharged from the gun, which entered his body and caused his death, because such is the usual and natural cause of such an effect. But you did not see the ball leave the gun, pass through the air, and enter the body of the slain; and your testimony to the fact of killing is thereby only inferential.”¹ The inference as to intent would be even more subject to error.

Rarely is any debatable proposition “conclusively proved” by either direct or indirect evidence, and the speaker who asserts that he has done more than create a high probability of truth deserves to forfeit the confidence of his audience on account of his exaggeration.

Direct evidence, as well as indirect evidence, depends for its effectiveness wholly upon circumstances. As we have seen above, an authority must be tested in numerous ways. Furthermore, his evidence may be worthless because he is physically, mentally, or morally unfit to testify to the point at issue. Or his evidence may be offset by other direct evidence from an equally reliable source. Direct and indirect evidence should be used together. One may strengthen the other and even point the way to its discovery.

VI. SELECTION OF EVIDENCE

Not all that is relevant is of sufficient importance to be used. The space limit in magazines, the time-limit in formal debate, and the natural limit of human patience and attention make selection of evidence a matter of great importance.

¹ C. J. Gibson. Charge to the jury in a capital case.

In attempting to prove, for example, that a certain man committed a theft in Boston at a certain time, it is relevant to prove that he was in Boston at that time. Yet that fact makes a case against him which is only as one against two hundred thousand, since there were in Boston at the time fully two hundred thousand men. No one can afford to spend time in matters which advance his case in so slight a degree.

Suppose, however, the defense had established a preponderance of proof that the man was not in Boston at the time of the theft. Then the case against him could not proceed until that presumption of his innocence had been overthrown. This illustrates the fact that evidence must be selected and weighed with constant reference to the arguments of the other side.

The selection of evidence must be made with fairness. The advocate of a protective tariff who confined his remarks to the beneficent effect of the tariff on "shot, barb-wire, and putty" left his audience convinced that he must have had difficulty in finding commodities on the tariff schedule which favored his contention. It is easy to make a selection of evidence which will leave a false impression, but it is contemptible work. No man worthy of the name will pick his material with a view to deceit. Particular care must be used in the selection of statistics, for selections may be artfully made from the same sources which appear to prove widely different conclusions.

Among the many pieces of evidence that may honestly be used to good effect, a few may be used to great effect. If a writer employs the first evidence that comes to hand, his work surely will be weak. He should read, read, read. He should think, think, think. He should write, write, write. And all the time he should be judiciously selecting, weighing, comparing, rejecting. He should collect a mass of material and finally lay aside most of it. Let all the good pieces of

evidence struggle for places in the argument: the law of selection must be the survival of the fittest.

VII. USE OF EVIDENCE

Do not overestimate the strength of your evidence. Do not break its back by loading upon it more work than it is able to do. Evidence may prove possibility, probability, or actuality. If, as is often the case, your evidence proves only the possibility of the truth of your contention, do not infer or proceed on the assumption that it proves more. No matter how strong your evidence may be on a question worth discussing, it seldom proves more than a high degree of probability. *Do not allow your conclusions to surpass your evidence.* Those who detect the exaggeration will be forced to believe either that you are trying to deceive them as to the weight of the evidence, or that you are yourself deceived. In either case, they will regard all your evidence with suspicion. Your own exaggeration in one instance will raise a presumption against all the evidence you present. A person who asserts that he has proved his proposition "beyond the shadow of a doubt" reveals a carelessness of judgment or of language, for "everything relating to human affairs, and depending upon moral evidence, is open to some possible or imaginary doubt."¹

VIII. TAKING NOTES OF EVIDENCE

In taking notes of evidence, it is advisable to observe the following rules:—

1. Use cards or sheets of paper of uniform size, and write only on one side.
2. Place on one card or one sheet of paper only evidence relating to a single sub-topic.
3. Quote from the original source unless you are forced to use a second-hand source.

¹ Chief Justice Shaw. (*Bemis's Webster Case*, 190.)

4. Take few notes until you have defined the question, and obtained a general idea of the controversy and a tentative set of issues.
5. Select those words which bear most cogently and tersely on the point at issue.
6. Always make an exact reference to the source at the time when you make note of the evidence.
7. Quote exactly, and use quotation marks.
8. Indicate omissions by means of dots, thus: . . .
9. When you supply your own words inside a quotation, inclose them in brackets [thus].
10. Indicate at the top of each card the main subject or issue to which the evidence relates, and the sub-topic.
11. In making note of material for refutation, state exactly the argument to be refuted.
12. Employ a definite system in arranging your evidence.

The following cards were prepared for evidence on the question, "Should the United States join the proposed League to Enforce Peace?" The use of these cards in constructing the outline of the argument and in debating will be treated later in connection with those subjects.

DEFINITION BY AUTHORITY.	League to Enforce Peace.
<p>"The central basis of the plan . . . is that the Great Powers of the world be invited to form a League of Peace, which shall embody the principle . . . that every member of that League has a right to be consulted before war shall be perpetrated between any two members of the League; or, to put it another way, that the whole League shall use its entire power to require any member of the League that wishes to fight any other member of the League, to submit the issue [to arbitration]."</p>	
<p>By William H. Taft, President of the League to Enforce Peace, in Pamphlet no. 106, September, 1916, of the American Association for International Conciliation.</p>	

"The central basis of the plan . . . is that the Great Powers of the world be invited to form a League of Peace, which shall embody the principle . . . that every member of that League has a right to be consulted before war shall be perpetrated between any two members of the League; or, to put it another way, that the whole League shall use its entire power to require any member of the League that wishes to fight any other member of the League, to submit the issue [to arbitration]."

By William H. Taft, President of the League to Enforce Peace, in Pamphlet no. 106, September, 1916, of the American Association for International Conciliation.

PRACTICABILITY.

Not a radical departure from U.S. policy.

"The United States would be obliged, so far as members of the League were concerned, to do exactly what it is now obliged by treaty agreement to do with most of the States of the world; and, as these treaty States would probably be the members of the League, the conditions would be changed in no respect, except that behind the treaty obligation would be the sanction of the justified use of economic and military force in addition to other sanctions."

George Grafton Wilson, "The Monroe Doctrine and the Program of the League to Enforce Peace." (World Peace Foundation, Pamphlet Series, vol. vi, no. 4, August, 1916, pp. 9-10.)

AUTHORITIES.

William Howard Taft.

27th Pres. of the U.S.; A.B. Yale, LL.B. Cincinnati Law School, LL.D. Yale, Harvard, Princeton, etc.; 1890-92 Solicitor General of the U.S.; 1900-01 Pres. Philippine Commission; First Civil Gov. of P. I.; Sec. of War in Cabinet of Pres. Roosevelt; Kent Prof. of Law, Yale, since 1913; Pres. of the League to Enforce Peace.

Source: *Who's Who in America*, vol. viii, 1914-15.

IX. SOURCES OF EVIDENCE

As soon as the proposition is phrased, the question arises, "Where can I find material on this subject?" The first reply may well be this: examine carefully the content of your own mind to ascertain your beliefs and the grounds for your beliefs, to determine to what extent your ideas are founded on fact and to what extent they are merely vague impres-

sions, and thus to differentiate what you know from what you do not know. Then read the broad surveys and digests of the subject which appear in the encyclopædias, in such monthly magazines as the *American Review of Reviews* and the *World's Work*, and in such weekly periodicals as the *Nation*, the *Independent*, the *Outlook*, *The New Republic*, and the *Literary Digest*. Thus you will get some idea of the immediate cause for discussion, the origin and history of the controversy, the latest information, the main contentions on both sides, and the leading authorities.

The best indexes to magazines are the *Reader's Guide*, published monthly, and *Poole's Index* and *The Annual Library Index*. These and the library card catalogues should be used first. In consulting such lists, the investigator should look for material under several heads. If, for instance, he seeks information on the question whether intercollegiate athletics should be abolished, he should not expect to find all the significant articles indexed under "Athletics." He may find important contributions to the controversy under such heads as "University," "College," "School," "Baseball," "Football," "Physical Culture," "Intercollegiate," "Sports," "Education," and under the names of authorities on the subject. He should continue his search until he has an extensive list of references from which to choose. Otherwise, he may spend too much time in reading inferior articles, while he either overlooks the best ones, or discovers them when it is too late to give them due attention.

There are many official publications which furnish information regarding the most perplexing public problems. The government of the United States, the government of each State, extension and public discussion departments of state universities, many municipalities, many reform associations, religious bodies, industrial boards, peace societies, navy leagues, chambers of commerce, and other organizations promoting special interests, employ in the aggregate thousands

of experts to investigate particular problems, to compile the laws, to collect, tabulate, and interpret statistics, and to suggest remedies for alleged evils. The reports of these experts are widely distributed. The United States Government reports are deposited in the chief libraries of the country. To mention only a few, there are the Census reports, the annual reports of the Commissioner of Education, of the Secretary of the Navy, and of the Interstate Commerce Commission, the Messages of the Presidents, and the *Congressional Record*. Further references to sources of material are given in Appendix XIX.

A whole volume of suggestions might be furnished to the beginner in the search for materials; but, after all, no instruction in this matter can equal his own experience. He will learn how to economize time partly by wasting time, and he will feel the resources of libraries at his command only after extensive investigation and research of his own.

EXERCISES FOR THE FOURTH CHAPTER

1. What kind of testimony is used in the speech in Appendix III? Apply the tests of evidence to each piece of testimony.
2. Apply the tests of authority to the following examples, and state in what respects each citation is especially strong or especially weak.
 - a. "Finally, the Congo State, as my opponent just admitted, has destroyed the slave trade and has absolutely stamped out the liquor traffic, even at the cost of rich revenue. As missionary George Grenfell is forced to admit: 'I saw the fall of the Arab (slave-trader), and I saw the door closed against strong drink.'"
 - b. The authorities used in the brief in favor of annexing Cuba. (Appendix VI.)
 - c. The authorities used in Appendix VII.
3. What kind of evidence is here used? What is its worth?—"The absence of any question as to the authorship of the plays ascribed to Shakespeare, for several generations after his death, tends to prove that the modern Shakespeare-Baconian controversy is absurd."

4. Let each student bring to the class such specimens of testimony from authority as he finds in current literature. Apply to these, in class, the tests of authority.
5. Let the class read Lord Erskine's *Speech in Defence of Lord George Gordon*, 1781, for the purpose of studying the methods there employed of attacking the sources of an opponent's evidence. (See G. P. Baker's *Specimens of Argumentation*, pp. 11-131.)
6. Let each student hand in a score or more of cards, bearing on the subject of his first forensic, made out in accordance with the instructions in this chapter.

FIFTH CHAPTER

PROVING THE PROPOSITION: INDUCTIVE AND DEDUCTIVE ARGUMENT

"All inference, consequently all proof, and all discovery of truths not self-evident, consists of inductions, and the interpretations of inductions; all our knowledge, not intuitive, comes to us exclusively from that source." — MILL.

AT the outset of our investigation concerning kinds of argument, we find a classification provided by the science of logic — *inductive* argument and *deductive* argument. But before we consider that classification, we shall do well to determine the relation between argumentation and logic.

THE LOGIC OF ARGUMENT

Argumentation, in common with every other art, presupposes scientific knowledge. It may be called the art of which logic is the science. Logic tests our thinking-processes to determine whether they conform to fixed rules. That is to say, *the main purpose of logic is to enable men to distinguish between good and bad reasoning.*

The communication of reasoning to other people for the purpose of convincing them and urging them to action is argumentation. Therefore the final test of any piece of evidence — a definition, a citation from authority, an inference — is never its sufficiency for the one who employs it, but its sufficiency for those to whom it is addressed. Obvious as this fact seems, not many people are quite free from the danger of overlooking it.

Logic is concerned only with reason. Argumentation is concerned not only with logical grounds for belief, but with all other grounds for belief. That part of argumentation which rests on logical grounds is called *conviction*; that part

which attempts to influence belief or action through appeal to emotion rather than to reason is called *persuasion*.

The usual form in which logic presents reasoning is the *syllogism*. In this form one proposition is inferred from two other propositions. These two propositions from which the inference is made are called *premises*, because they are put forward as a means of reaching the third proposition or *conclusion*. Thus a syllogism consists of three complete statements: (1) a *major premise*, (2) a *minor premise*, and (3) a *conclusion*. For example:—

(1) All college students should speak good English.

Major Premise.

(2) John Sorrow is a college student.

Minor Premise.

(3) John Sorrow should speak good English.

Conclusion.

An *enthymeme* is a syllogism with one or more of its propositions suppressed; for example, “John Sorrow should speak good English because he is a college student.”

In such a simple syllogism there is no difficulty in perceiving that the conclusion follows from the premises, directly and necessarily. Not all inferences are so obvious. Now and then we feel sure that an argument, although resembling a valid syllogism, is somehow feeble or tricky; but just how, we are unable to determine. This difficulty, logic aims to overcome. A knowledge of the rules determining the validity of the syllogism is therefore of value.¹

¹ THE RULES OF THE SYLLOGISM

1. A syllogism must contain three terms, and only three terms.
2. A syllogism must consist of three propositions, and only three propositions.
3. The middle term of a syllogism must be distributed, that is, taken universally, or in its whole extent of meaning, once at least in the premises.
4. No term may be distributed in the conclusion unless it is distributed in the premises.
5. From two negative premises nothing can be inferred.
6. If one premise be negative, the conclusion must be negative, and we cannot get a negative conclusion unless one of the premises be negative.

Any one who does not understand the nature of the false inferences resulting from a violation of these rules will do well to study that part of some elementary treatise which deals with the rules of the syllogism. The *Primer of Logic*, by W. S. Jevons, will serve the purpose. The memorizing of the nineteen moods of the syllogism will not solve all the difficulties of reasoning with the precision of a cash register. But familiarity with these rules will aid in testing those arguments which are presented in syllogistic form, or which may be expanded into that form by supplying the suppressed parts. Furthermore, a knowledge of these rules may warn one against attempting to present, in such simple form, any argument too complex for a single, valid syllogism.

Since logic sits as judge over the reasoning processes in all departments of knowledge, it has been called the Science of Sciences, and Science is, as Huxley says, "nothing but trained and organized common sense." Now this trained and organized common sense — which is, in fact, none too common — argumentation aims to employ. Yet formal logic sometimes seems far from common sense. It helps but little in the practical difficulties of reasoning well and of exposing the more plausible kinds of unsound reasoning and verbal confusion, for it enables us to distinguish between good and bad reasoning only in those cases — rare outside of textbooks — when, starting with a single faultless generalization and with three terms free from ambiguity, we are able to present reasoning in the simple form of the syllogism. Syllogistic logic is concerned with such obviously true propositions as "All monkeys have tails," and such obviously false conversions as "All animals that have tails are monkeys." Consider, for example, the syllogism presented by Whately: "White is a color; black is a color; therefore black is white." Such simple errors are too remote from every-day difficulties to incite much interest. Beyond such obvious truths and obvious falsehoods, the use of the syllo-

gism is limited, for the soundness of the inference depends on the assumption that the terms are free from ambiguity. In actual inferences this assumption is rarely justifiable, especially when the soundness of the inference is most debatable. Jevons himself says that "by far the greater number of words are ambiguous, and it is not easy to find many words which are quite free from ambiguity."

It is argued, for example, that private operation is more economical than municipal operation of water works, because in a given city the cost of water to the consumer has increased twenty per cent under municipal control. The argument appears sound. The trouble is that the water in one case is impure, in the other case, pure. Thus, the term "water" has two meanings in the same argument.

Argumentation has further distinctive features. Whereas syllogistic logic sets forth the conditions under which a conclusion is necessarily true, argumentation, on the other hand, is concerned mainly with attempts to show merely that the chances are in favor of the truth of a given conclusion, under conditions which demand action at the same time that they preclude the possibility of adequate tests of truth. A little thought will show that the propositions most frequently debated are not open to immediate verification. The conclusions reached by the processes of argument depend not on a single proposition, but on many.

Consider, in contrast, how readily mathematics employs the syllogism. To prove that two equilateral triangles are equal, we have only to establish a single proposition, namely, "the two triangles have equal altitudes." But mathematics, far from being the typical form of reasoning, is a highly artificial and exceptional form. In dealing with the innumerable perplexing problems which confront us in daily life, we are forced to separate complex and ambiguous propositions into many parts, and to make a final judgment of probability from many facts and arguments, weighed against

each other in balances so liable to error that the scientist would banish them from the laboratory.

Furthermore, as logic is concerned only with the reasoning processes, it provides no tests for that large division of evidence which we have called the testimony of authority; it does not assist in the finding of evidence; nor does it guide us in that important and difficult part of argumentation which appeals, not to reason, but to emotion. On all these accounts a study of syllogistic logic is only a beginning for a student of argumentation and debating, and in one respect which we shall next consider, may actually prove a hindrance.¹

ATTENDANT CIRCUMSTANCES

Students who come from the study of the simplified inferences of logic to the complicated affairs of life, bring with them too abstract a view. Their formal processes are beset with difficulties. These they are impatient to brush away. They are in danger of overlooking the *attendant circumstances* which prevent the immediate reduction of an argument to the simple and isolated forms of logic. Yet these attendant circumstances are the making or the breaking of an argument. They enter vitally into the consideration of every public question.

This truth Macaulay emphasized in his speech on the Repeal of the Union with Ireland, when he answered the charge of an opponent in the following way:—

Sir, in showing, as I think I have shown, the absurdity of this cry for repeal, I have in a great measure vindicated myself from the

¹ A careful consideration of this whole question may be found in the admirable little book by Alfred Sidgwick, called *The Process of Argument* (A. & C. Black, pp. 74 *ff*). Bernard Bosanquet says, in the *Essentials of Logic* (The Macmillan Co., p. 99), "The educational value of elementary formal logic consists chiefly, I am convinced, in the exercise of paraphrasing poetical or rhetorical assertions into this typical shape, with the least possible sacrifice of meaning." Mill points to the same conclusion when he says that the "end aimed at by Formal Logic, and attained by the observances of its precepts, is not truth, but consistency."

charge of inconsistency which has been brought against me by my honorable friend, the member for Lincoln. It is very easy to bring a volume of Hansard to the House, to read a few sentences of a speech made in very different circumstances, and to say, "Last year you were for pacifying England by concession; this year you are for pacifying Ireland by coercion. How can you vindicate your consistency?" Surely my honorable friend cannot but know that nothing is easier than to write a theme for severity, for clemency, for order, for liberty, for a contemplative life, for an active life, and so on. It was a common exercise in the ancient schools of rhetoric to make an abstract question, and to harangue first on one side and then on the other. The question, Ought popular discontents to be quieted by concession or coercion, would have been a very good subject for oratory of this kind. There is no lack of commonplaces on either side. *But when we come to the real business of life, the value of these commonplaces depends entirely on the particular circumstances of the case which we are discussing.*¹ Nothing is easier than to write a treatise proving that it is lawful to resist extreme tyranny. Nothing is easier than to write a treatise setting forth the wickedness of wantonly bringing on a great society the miseries inseparable from revolution, the bloodshed, the spoliation, the anarchy. Both treatises may contain much that is true; but neither will enable us to decide whether a particular insurrection is or is not justifiable without a close examination of the facts. . . . Is it not then absurd to say that, because I wished last year to quiet the English people by giving them that which was beneficial to them, I am therefore bound in consistency to quiet the Irish people this year by giving them that which will be fatal to them?

INDUCTIVE AND DEDUCTIVE ARGUMENT

Logic classifies argument as inductive and deductive. *The process of reasoning by which we arrive at a general law through the observation of particulars is called inductive reasoning.* By this method men reached the classic generalization, "All men are mortal."

The opposite process, by which from a general law we draw a conclusion with regard to a particular case, is called deductive reasoning. Thus from the law that all men are mortal, we deduce the conclusion that John Sorrow is mortal.

¹ The italics are not Macaulay's.

Inductive argument is inference from the specific to the general; deductive argument is inference from the general to the specific.

DEDUCTIVE ARGUMENT

The classic example of the deductive syllogism follows: —

All men are mortal.

Socrates is a man.

Therefore Socrates is mortal.

A deductive argument has the fundamental requisites of effectiveness if it satisfies three conditions: first, if the generalization on which it is based is proved true or accepted without proof; second, if the term about which something is affirmed in the conclusion is brought unmistakably within the class about which the generalization asserts a truth; third, if the conclusion inevitably follows from the two propositions thus established. In other words, a deductive argument has the primary requisites of conviction if the two premises are true, and if the inference from them violates none of the rules of logic.

If the truth of the generalization is questioned, it must be established by inductive methods. When this is accomplished, the next problem is to prove that the instance under dispute is covered by the generalization. Thus, in seeking to prove that the granting of shipping subsidies should be condemned, we may first establish the general principle that all class legislation should be condemned. Our next problem is to prove that the granting of shipping subsidies is class legislation. When this is proved, the conclusion to be deduced from the two premises becomes self-evident. Thus we see that the difficulty in deductive argument lies in establishing the minor premise, i.e., in bringing the case under dispute within the general principle which constitutes the major premise.

For a more involved example, we may take the attempt

of a speaker to prove that school authorities have a legal right to prohibit secret societies. He started with the following principle, affirmed by the court in the case of *Burdick v. Babcock* (31 Iowa, 562): "Any rule not subversive of the rights of the children or parents, or in conflict with humanity and the precepts of divine law, which tends to advance the object of the law in establishing the public schools, must be considered reasonable and proper." Having stated that general principle on the authority of the court, he then endeavored to show that a rule prohibiting secret societies is just such a rule as the court declared "must be considered reasonable and proper." This, evidently, was the main work of the debater. The conclusion which he deduced at the end of his speech was merely a statement of the truth included in the premises.

If the particular case in a minor premise does not fall within the general group about which an assertion is made in the major premise, no valid conclusion can be deduced. It was the failure to bring the case under discussion within the operation of the general rule which Lincoln thus sought to expose in the reasoning of Douglas: —

The States must, without the interference of the General Government, do all those things that pertain exclusively to themselves — that are local in their nature, that have no connection with the General Government. After Judge Douglas has established this proposition, which nobody disputes or ever has disputed, he proceeds to assume, without proving it, that slavery is one of those little, unimportant, trivial matters, which are of just about as much consequence as the question would be to me whether my neighbor should raise horned cattle or plant tobacco; that there is no moral question about it, but that it is altogether a matter of dollars and cents; that when a new Territory is opened for settlement, the first man who goes into it may plant there a thing which, like the Canada thistle, or some other of those pests of the soil, cannot be dug out by the millions of men who will come thereafter; that it is one of those little things that is so trivial in its nature that it has no effect upon anybody save the few men who first plant upon the soil; that it is not a

thing which in any way affects the family of communities composing these States, nor any way endangers the General Government. Judge Douglas ignores altogether the very well-known fact that we have never had a serious menace to our political existence, except it sprang from this thing, which he chooses to regard as only upon a par with onions and potatoes.¹

When we have reduced an argument to the form of the syllogism, we can readily test its validity by inquiring whether the conclusion inevitably follows from the premises. If not, the argument is unsound. All errors in deductive reasoning appear simple enough when thus presented in concise and complete form. But often a careless reasoner establishes a general principle, and later on, amid the confusion of wordiness, proceeds to deduce a conclusion, not from the principle which he has established, but from one which resembles it. The difference may be in a slight qualification, and yet that may be sufficient to render the argument void. For example, a temperance lecturer spent half of his time in trying to prove that the prohibitory law, *if properly enforced*, promotes temperance. He then founded the rest of his argument on the assumption that he had proved his first assertion in unqualified form. As the unsoundness of such reasoning becomes apparent when presented in the rigid form of the syllogism, it is well to try this method in argumentation whenever the attendant circumstances permit.

Ordinarily, deductive argument is presented, not as a single syllogism, but as a chain of syllogisms. In the following simple example, the conclusion of the first syllogism (3) becomes the major premise of the second: —

1. You should do nothing which will increase the danger of war.
2. Voting for Senators who favor conscription will increase the danger of war.
3. You should not vote for Senators who favor conscription.

¹ Lincoln's *Complete Works*, vol. 1, p. 544. (The Century Company.)

4. Senator Chamberlain favors conscription.
5. You should not vote for Senator Chamberlain.

Often the conclusion is linked to two or more major premises, no one of which *alone* justifies the conclusion. In the following example, typical in this respect of nearly all good briefs, I (major) and II (major) are offered *jointly* as evidence. The writer does not hold that any punishment less humane than capital punishment should not be substituted for it. What he does contend is that any punishment which is less humane *and at the same time less effective* should not be substituted for it. He separates the two parts — thus making two deductive syllogisms — so that he can deal with one at a time.

PROPOSITION: Life imprisonment should not be substituted for capital punishment, for

I (major). Any punishment less effective as a preventive of crime than capital punishment should not be substituted for it, and
 II (minor). Life imprisonment is less effective as a preventive of crime than capital punishment.

1 (major). Any punishment less feared than capital punishment is less effective as a preventive of crime than capital punishment.

1 (minor). Life imprisonment is less feared than capital punishment.

(a) It is less feared by Smith.

It is less feared by Jones, etc., etc.

2 Life imprisonment has been less effective in Massachusetts (in the form of statistics).

Life imprisonment has been less effective in Pennsylvania (in the form of statistics).

Etc., etc.

II (major). Any punishment less humane than capital punishment should not be substituted for it, and

II (minor). Life imprisonment is less humane than capital punishment.¹

¹ Adapted from *The Logic of Argument*, by Clarence G. Hoag, in Haverford Essays, 1909.

THE USE OF THE SYLLOGISM IN REFUTATION

Whenever the language of an adversary is redundant or incomplete, the argument can be more easily refuted if reduced or expanded to syllogistic form. Lincoln adopted this method in the debate with Douglas at Galesburg, when he thus placed his finger on the exact point at issue:—

Now, remembering the provision of the Constitution which I have read, affirming that that instrument is the supreme law of the land; that the judges of every state shall be bound by it, any law or constitution of any state to the contrary notwithstanding; that the right of property in a slave is affirmed in that Constitution, is made, formed into, and cannot be separated from it without breaking it; durable as the instrument, part of the instrument,—what follows as a short and even syllogistic argument from it? I think it follows, and I submit to the consideration of men capable of argumenting, whether as I state it, in syllogistic form, the argument has any fault in it?

Nothing in the constitution or laws of any state can destroy a right distinctly and expressly affirmed in the Constitution of the United States.

The right of property in a slave is distinctly and expressly affirmed in the Constitution of the United States.

Therefore, nothing in the constitution or laws of any state can destroy the right of property in a slave.

I believe that no fault can be pointed out in that argument; assuming the truth of the premises, the conclusion, so far as I have capacity at all to understand it, follows inevitably. There is a fault in it, as I think, but the fault is not in the reasoning; the falsehood, in fact, is a fault in the premises. I believe that the right of property in a slave is not distinctly and expressly affirmed in the Constitution, and Judge Douglas thinks it is.¹

The following editorial uses the syllogistic form in refutation:—

Beginners in logic are warned of the importance of remembering that from all A is B it does not follow that all B is A; a truth put into more picturesque form when, instead of the ultra-neutral letters

¹ Lincoln's *Complete Works*, vol. I, p. 445. (The Century Company.)

of the alphabet, one makes such an assertion as Horace Greeley used to be fond of making about horse-thieves and Democrats. But to Congressman Carlin, chairman of the committee inquiring into the conduct of the United States District Attorney's office in New York City, it seems that a man who says that all horse-thieves are Democrats must be held responsible for the assertion that all Democrats are horse-thieves. Mr. Marshall, he says, "complains that we have summoned no one but rogues and thieves and shysters. As a matter of fact, we have summoned men we supposed were the leading lawyers of New York." But what Mr. Marshall had actually said was that "among your witnesses you had invited every rogue that you could lay your hands on to come before you and blackguard and slander me and my assistants under the full privilege of testifying before a Congressional committee." Nor is the point one of merely formal importance. If Mr. Marshall's characterization of part of the witnesses is correct, the force of what he says is in no respect broken by the fact that there were also other witnesses present whose characters were in every way unexceptionable.¹

We have seen, however, that arguments in actual debate can rarely be reduced to syllogistic form. For whenever we step beyond the undisputed and lifeless parts of human knowledge, we enter realms of thought which are explained, not by faultless major premises, but by imperfect ideas of causation, to be clarified only by further insight into recognized complexity of detail. As a rule, we can do no more than apply the syllogistic method of refutation to a small part of an opponent's reasoning. Even in such cases, the difficulty of stating the ideas of another person in so simple a form should warn us against unfairness. It is easy enough to take an unguarded statement with a literalness never intended, and wrest from it an absurd major premise to the confusion of an incompetent opponent. But this is merely a "trick play," with the usual taint of meanness.² The application of the syllogistic method to actual controversy demands fairness, experience, and keen judgment.

¹ *The Nation*, May 25, 1916.

² For a discussion of this subject and a good illustration, see Alfred Sidgwick, *The Use of Words in Reasoning*, pp. 76, 77.

INDUCTIVE ARGUMENT

“The main reason for the painfully slow progress of the human race,” says Dr. Eliot, “is to be found in the inability of the great mass of people to establish correctly the premises of an argument. Every school ought to give direct instruction in fact-determining and truth-seeking; and the difficulties of these processes ought to be plainly and incessantly pointed out.” Let us examine these difficulties in inductive reasoning — the inference from the specific to the general.

In *Sesame and Lilies*, Ruskin endeavors by the inductive method to prove the general statement, “Shakespeare has no heroes; — he has only heroines”: —

There is not one entirely heroic figure in all his plays, except the slight sketch of Henry the Fifth, exaggerated for the purposes of the stage; and the still slighter Valentine in *The Two Gentlemen of Verona*. In his labored and perfect plays you have no hero. Othello would have been one, if his simplicity had not been so great as to leave him the prey of every base practice around him; but he is the only example even approximating to the heroic type. Coriolanus — Cæsar — Antony stand in flawed strength, and fall by their vanities; — Hamlet is indolent, and drowsily speculative; Romeo an impatient boy; the Merchant of Venice languidly submissive to adverse fortune; Kent, in *King Lear*, is entirely noble at heart, but too rough and unpolished to be of true use at the critical time, and he sinks into the office of a servant only. Orlando, no less noble, is yet the despairing toy of chance, followed, comforted, saved, by Rosalind. Whereas there is hardly a play that has not a perfect woman in it, steadfast in grave hope and errorless purpose; Cordelia, Desdemona, Isabella, Hermione, Imogen, Queen Catherine, Perdita, Sylvia, Viola, Rosalind, Helena, and last, and perhaps loveliest, Virgilia, are all faultless; conceived in the highest type of heroic humanity.

A complete or perfect induction must examine all the specific instances covered by the general statement in the conclusion. Thus, when we have determined individually that each of the planets — Mercury, Venus, the Earth, Mars, Jupiter, Saturn, Uranus, and Neptune — revolves in an elliptic orbit around

the Sun, we are able to reach the perfect induction, "All the known planets move in elliptic orbits around the Sun." This is an easy inference because the premises cover all cases which can possibly come under the conclusion. It is a complete induction. As in the deductive syllogisms considered in the last chapter, so in this perfect inductive syllogism, the conclusion contains nothing not implicitly contained in the premises.

However valuable a perfect induction may be as a means of tersely expressing a truth regarding a large number of particular facts, such indisputable truths concern us only incidentally in the process of argument. If the truth of a general statement can be tested by the examination of all the specific instances involved, it is a matter for arithmetic rather than for argumentation. Nearly all the general statements that we are forced to employ, and the only ones that become subjects of controversy, are *imperfect* inductions.

Accordingly, the field of inductive knowledge with which we are most largely concerned in argumentation consists, not of universal truths, but of approximations to such truths. In actual debate we are never able to carry our inductive reasoning to a single faultless statement, for such a plain truth is not debatable. In practical affairs we must do the best we can with general statements which we do not know to be universal. Questions which involve the infinitely varying temperaments, desires, ideals, and intelligence of human beings are so complicated as to offer infinite chance for inductive error. And so it happens that "even when science has really determined the universal laws of any phenomenon, not only are those laws generally too encumbered with conditions to be adapted to every-day use, but the cases which present themselves in life are too complicated, and our decisions require to be taken too rapidly, to admit of waiting till the existence of a phenomenon can be proved by what have been scientifically ascertained to be universal marks of

it. To be indecisive and reluctant to act, because we have not evidence of a perfectly conclusive character to act on, is a defect sometimes incident to scientific minds, but which, wherever it exists, renders them unfit for practical emergencies.”¹ Inquiries in the field of argumentation, dealing as they do mainly with the acts of human beings, must proceed as best they can with imperfect inductions.

In arguing by induction, therefore, we are forced to consider known individual objects or instances of a class as fair specimens of that class with reference to the point at issue, and from these known objects or instances to draw a conclusion respecting the whole class. Thus, when a traveler ventures an opinion, based on his own observations, regarding the courteous hospitality of Southerners in general, he reasons inductively. He cannot possibly know all the individuals of the class, but those whom he does know he regards, in point of hospitality, as fair specimens of the class. *This kind of imperfect induction we call generalization.*

By such an argument we infer from many individual instances the probable truth of a general proposition; as when, after examining the school systems of many cities, we conclude that adequate authority of school officers and quick public accountability are conducive to efficient administration. Starting with the general principle thus reached by induction, we could infer by deduction that the school system of a particular city would be better managed if the officers were given sufficient power and held immediately responsible for results.

Thus a universal law or statement reached by inductive methods may itself become the ground for deductive reasoning. In argumentation these two processes are everywhere intimately associated. They are combined in everyday use, for induction and deduction are complementary factors in one reasoning process. They go hand in hand, the one verifying the conclusions reached by the other. Never-

¹ Mill, *A System of Logic*, p. 387. (Longmans, Green & Co., 1896.)

theless, we may separately examine the typical forms of inductive and deductive reasoning for the purpose of gaining some insight into their sources of weakness and of strength. These typical forms we may call the Argument from Example, and the Argument from Causal Relation. The first broad division, Argument from Example, we shall deal with under two heads: Generalization and Analogy.

EXERCISES FOR THE FIFTH CHAPTER

1. Expand the following enthymemes into complete valid syllogisms:—
 - a. As excess causes disease, every man should be temperate.
 - b. As all books are human productions, all books are liable to error.
 - c. The United States government should subsidize the Merchant Marine, because it will be useful in time of war.
 - d. As our laws exclude illiterate immigrants, this man will not be admitted.
 - e. The United States government has no right to intervene in the Congo Free State, because the United States was not a signatory power at the Brussels Conference.
 - f. As no idle man can become a great novelist, we know that Scott and Dickens were not idle men.
 - g. Lavish social entertainments are to be commended, for they increase the demand for laborers.
 - h. As the end of punishment is either the protection of society or the reformation of the criminal, capital punishment should be abolished.
 - i. The United States should annex Cuba because Cuba is not capable of self-government.
 - j. Blessed are the merciful, for they shall obtain mercy.
2. Given the major premise—
 If this game is lost, Harvard loses the championship.
 What follows as a result of each of the minor premises:—
 - a. The game is lost.
 - b. The game is tied.
 - c. Harvard wins the championship.
3. If possible, draw valid conclusions from the following sets of premises:—

- a. All followers of Plato are idealists.
This man is an idealist.
- b. Small school committees are more efficient than large ones.
New York City has a large school committee.
- c. All members of the committee were guilty of conspiracy.
The prisoner was a member of the committee.
- d. If the Interstate Commerce Commission acts fairly, the railroads will be satisfied.
The Commission does not act fairly.
- e. Many of the large insurance companies have evaded the laws.
This company is among the largest in the world.
- f. This law will either be nullified or enforced; if nullified, it will be worse than useless; if enforced, it will cause injustice.

4. Is this reasoning sound?

“Every rule has exceptions; this is a rule, and therefore has exceptions; therefore there are some rules that have no exceptions.” (From Hyslop’s *Logic and Argument*.)

(If the instructor cares to do so at this point, he can present to the class numerous exercises from such books on Logic as Jevons’s, Hyslop’s, and Hibben’s. See, also, *The Essentials of Logic*, by R. W. Sellars, Houghton Mifflin Co., 1917; *An Outline of Logic*, by B. H. Bode, Henry Holt & Co., 1910; *The Applications of Logic*, by A. T. Robinson, Longmans Green & Co., 1912; *Elementary Logic*, by W. J. Taylor, Charles Scribner’s Sons, 1909.)

- 5. Find examples of inductive reasoning in the Essays of Emerson or of Ruskin.
- 6. What tacit assumptions occur in the following arguments? Are they permissible? Which of these arguments can you readily reduce to syllogistic form?
 - a. A classical education is worthless, for we make no use of ancient languages after we graduate from college.
 - b. Written examinations are not an absolutely fair test of a student’s scholarship — much less of his industry and intelligence. It is therefore wrong to base his grade upon them.¹
 - c. “It is a physician’s duty to conceal from a patient his sense of the grave dangers disclosed to his professional eye, and

¹ Illustrations from *An Outline of Logic*, by B. H. Bode. (Henry Holt & Co., New York, 1910.)

which he is endeavoring to meet successfully. And in well-nigh every case it is possible for him to give truthful answers that will conceal from the patient what he ought to conceal; for the best physicians do not know the future, and his professional guesses are not to be put forward as if they were assured certitudes." (From Trumbull's *Lie Never Justifiable*; quoted by Aikins, p. 471.)

d. I have shown, gentlemen, that it is the natural right of all God's creatures to be free. I have shown that a people having the same tongue, historic recollections, and associations, conveniently situated, and existing in sufficient numbers for the purpose, are entitled to a distinct national existence; and I claim, therefore, not only the sympathy of Americans for my poor and oppressed Hungary, which I know that I shall have, but also their intervention as a nation, and their generous liberality in furnishing the material aid necessary to enable us to carry on our struggle, and secure our independence of Austrian rule and despotism.¹

e. "The railroads have usually acted upon the apparent assumption that it is none of the public's business whether they are overcapitalized or not. It remained for the counsel for the N. and N. railroad, a road notorious for its stock watering operations, publicly to declare — in the form of a question, it is true, but none the less bluntly — the railroad position. If the N. and N. 'charges reasonable rates,' demands its counsel, 'what is it to the public whether its capitalization be high or low?'"¹ (From an editorial.)

7. What method of refutation does Lincoln use in the following quotation from his speech on the Dred Scott Decision?

"He finds the Republicans insisting that the Declaration of Independence includes all men, black as well as white, and forthwith he boldly denies that it includes negroes at all, and proceeds to argue gravely that all who contend it does, do so only because they want to vote, to eat, and sleep, and marry with negroes. He will have it that they cannot be consistent else. Now I protest against the counterfeit logic which concludes that because I do not want a black woman for a slave, I must necessarily want her for a wife. I need not have her for either. I can just leave her alone."

¹ Illustrations from *An Outline of Logic*, by B. H. Bode. (Henry Holt & Co., New York, 1910.)

SIXTH CHAPTER

PROVING THE PROPOSITION : THE ARGUMENT FROM EXAMPLE

“Example is the school of mankind and they will learn at no other.” — BURKE.

THE Argument from Example may be considered under two heads: I, Generalization; and II, Analogy.

I. GENERALIZATION

From what we have seen of the nature of an imperfect induction, which we have called a generalization, it is clear that we have before us a problem quite different from that of deduction. The problem arises from the fact that the conclusion of an imperfect induction, as reached by the process of argument, extends beyond the data on which it is based. It makes a jump from the known to the unknown, — a leap in the dark. This has been called the inductive hazard. The problem is, how to justify the leap from verified instances to a conclusion which covers instances beyond the pale of our observation and experiment. How are we to know when we can safely bridge the gap?

The safety of a generalization we may test in at least four ways. We may consider whether the relative size of the unobserved part of the class is so small as to justify its inclusion in our assertion regarding the known part. Or, quite aside from the question of number, we may examine the characteristics of the observed members to ascertain whether those members seem to be fair examples of the class. We may then extend our search beyond the members known or said to fall within the general rule, to see whether any exceptions

to the rule can be found. Finally, apart from the question of the number and characteristics of the known and unknown instances, we may try to estimate the degree of probability that such a general law exists. Although these four tests overlap and test each other, and although they are not always distinct in the mind of one who questions a generalization, yet we can profitably consider them one by one.

A first test of generalization. How many instances will warrant a generalization? Can we prove that all members of the United States Senate are over forty years of age by citing ten, twenty, or even ninety individuals? Clearly not. For such an inference, we are satisfied with nothing short of complete induction. On the other hand, let us examine one diamond, one rectangle, or one falling weight, with scientific accuracy, and we reach a general law from a single instance. We need not multiply examples to determine the specific gravity of all diamonds, the law for the measurement of all rectangles, and the law for the acceleration of falling bodies.

Any generalization which stakes its claim to validity on "uncontradicted experience" alone may depend, and usually does depend, on experience which is too narrow to warrant the generalization. The child who believes that all people have enough to eat, that all dogs are gentle, and that all children have nursemaids, reasons from the few instances of his own "uncontradicted experience."

From these illustrations it is evident that several examples falling under a general proposition, or several supposed instances of the operation of a principle, may not be sufficient for a trustworthy induction. Indeed, no proportion is always sufficient, for a generalization may be discredited by a single instance.

Accordingly, although we should ask, as a first test, whether the relative size of the unobserved part of the class is so small as to warrant the generalization, we cannot always answer the question without the aid of other tests.

A second test of generalization. The reason why we must consider every member of the Senate, before we can conclude that all senators are over forty years of age, is evident. No members can be selected who are fairly typical of the whole body with respect to the point in question. Another illustration of unwarranted generalization from exceptional instances was furnished by the writer who attempted to draw a sweeping conclusion regarding the beneficence of the tariff from his observations regarding the tariff on shot, barb-wire, and putty. The doubt at once arose how this curious selection of items could fairly represent the whole tariff schedule. Questions like these present the difficulty of finding individual members that embody all those characteristics of the whole class which have anything to do with the disputed principle or general statement.

In the domain of exact sciences, on the other hand, a few specimens, or even a single specimen, may embody all the characteristics of the class which have any bearing on the principle. Diamonds vary greatly in size, shape, value, and brilliancy: but, as these details have nothing to do with the question of specific gravity, we may select a single stone as typical of the whole class with respect to that question. Thus, although isosceles triangles differ infinitely in size and shape, we may deduce from a single specimen various principles which apply to all isosceles triangles; it matters not though their sides extend to the farthest fixed stars, known or unknown. But in such cases, we know that a single specimen is typical only because we have examined many specimens.

Even in more complicated scientific investigations, complete inductions are not considered necessary. The famous scientist Pasteur made many important discoveries by means of generalizations from a few observed instances which, to the best of his keen judgment, were free from exceptional circumstances. In order to find the cause of the blight devastating the silkworms in France, he chose with great care,

from moths known to be free from the suspected germs of the disease, thirty healthy worms. He then fed them with mulberry leaves infected with the germs in question, and watched the results. All died. The natural inference from these specific cases was the general conclusion that the suspected germs really did cause the epidemic among all the silkworms of France. The conclusion would have been untrustworthy, if Pasteur had attempted to generalize from specimens already infected with any fatal disease, or in other ways unfair with respect to the object of his experiments.

We should always test the members upon which a generalization is based to determine whether they are fair specimens of the class.

A third test of generalization. The tendency of the untrained thinker is to conclude that a proposition which is true of all cases he happens to know is true of all possible cases. Accordingly, he generalizes from his limited experience, or accepts the scanty generalizations of other people, unless conflicting instances are thrust upon his attention. The careless reasoner says, "Such and such a fact is true of this member of a class; it is true of this other member of the class; I have observed no member of the class of which it is not true; therefore it is true of the whole class." His error may be due to the non-observation of instances which make against the generalization. The habit of seeking exceptions is a mark of the scientific mind. The observation of the untrained mind is purely passive: it accepts the facts which present themselves, without taking the trouble to search for more: the trained mind tries to determine what facts are needed for a sure conclusion, and then searches for these facts.

As we observed in our discussion of prejudiced testimony, our vision is somewhat distorted by our desires. When we are seeking to establish a principle, verifying instances shine with a deceptive luster which blinds us to exceptions. It is a

trite observation that we find in life what we look for. A man may glance at every periodical on the news-stand for the sole purpose of finding the *Atlantic Monthly*, and in the end not have a definite idea in his head as to what other magazines he saw. He knows merely that they were not the one he was looking for. He may not be able to tell you the time immediately after looking at his watch. He knows merely that it is not time for his appointment. Well aware as we are of this trait of the mind, we should take definite means to safeguard our generalizations against exceptions. If the nature of the case permits such thorough investigation, we should be able to supplement our conclusions at least by negative evidence; that is, by proving the probability that, if exceptions existed, we should have found them.

The habit of seeking exceptions to a rule is a stanch protection against hasty generalization, not only because of the natural tendency to overlook contradictory evidence, but also because the commonplace "exceptions" may really be far more numerous than the conspicuous cases employed as proof. Much of the every-day reasoning regarding the value of a college education proceeds by exaggerating unusual instances and ignoring instances which make against the conclusion. A man observes a number of college graduates who fail in business; he concludes that a college training unfits men for practical affairs. College graduates who succeed in life provoke little argument on the subject; they are expected to succeed. But a few graduates, who with all their education can do no creditable work, furnish the meager data from which many people draw the generalization that a college education does not pay. In like manner the industrious, upright students, who form a large majority of every college, play no part in the inductive reasoning of those people who judge all college students by the few unworthy ones who make themselves disagreeably conspicuous. Mind-readers gain their reputation largely from the fact that any guess

which proves true is reported widely, whereas most of the failures are unheralded. What appears wonderful attracts attention; the rest escapes. So also with fortune-tellers, almanac-makers, and quacks of all kinds. By ignoring the cases in which their predictions fail, which are uninteresting because so common, we can arrive at wonderful conclusions. Thus it happens everywhere that instances which furnish no basis for generalization because they are fortuitous become for that very reason the main reliance of faulty reasoners.

In seeking for exceptions to a generalization, we should not lightly overlook the instances on which it is directly based. Sometimes the material for refuting an argument is contained in its own premises. Preconceived ideas and all kinds of prejudices tend to blind men to obvious facts and lead them to believe broad assertions based on the very instances which prove them false. Men long believed that a body twice as heavy as another would fall twice as fast. A single instance, scientifically observed, would have overthrown that preconceived notion; but the notion itself prevented such observation of the millions of instances which daily proved it false. One of the stock arguments against prohibition of the liquor traffic in Maine has been the following: "The original vote on the prohibitory amendment shows that the cities of Maine did not want prohibition." To expose the fallacy in this hasty generalization, the friends of the law had only to produce the election returns, which showed that only one city in the State voted against the law. The generalization rested on the very facts which proved it false.

The method of discovering exceptions is suggested by the interdependence, already noted, of induction and deduction. Since a deduction can be made only from a generalization, the truth of the generalization itself may be tested by deductive reasoning from it. For example, suppose we wish to test Ruskin's statement that none of Shakespeare's characters is a hero. We may try any one of the characters in a minor

premise and find out whether the conclusion logically deduced is true. If the conclusion is not true, we have discovered an exception to the general assertion. Thus —

None of Shakespeare's characters is a hero,
Romeo is one of Shakespeare's characters,
. . . Romeo is not a hero.

In place of Romeo, we may name, one by one, Cæsar, Hamlet, Kent, and all the rest. When we come to Brutus, we may object to the conclusion that Brutus is not a hero. If so, we have proved that the generalization is unwarranted, according to our definition of a hero. Ordinarily we do not go through all the steps of this formal process in testing a generalization; nevertheless, so far as we examine particular cases, this method in abridged form is precisely the one we must employ.

We should look beyond the members upon which a generalization is based in order to discover possible exceptions.

A fourth test of generalization. So far we have considered the means of testing inductive reasoning by observation and experiment. But our generalizations are usually unsafe in so far as they depend on experience, for our experience is usually confined to a small part of the class concerning which we seek to discover a universal truth. As we have seen, the appearance of universality may be due to the very limitations of experience, as when a child, who has seen only two dogs, concludes that all dogs have shaggy hair. Uncontradicted experience is insufficient to establish a general truth. How, then, can we finally test a generalization? In those many cases where even the most extensive possible observation and experiment fail to cover the class, how can we finally justify the leap from the known to the unknown? Not only by the number of verifying instances, not only by their apparently universal characteristics, not only by the

absence of known exceptions, but as well by a revealed order of nature beyond the likelihood of chance.

The ultimate warrant for a generalization is our belief in the universal laws of causation; nothing happens without sufficient cause; or, in common language, “if it is true, there must be a reason for it.” And so, to look for uniformity in the course of nature where uniformity is not to be expected — to hold, for example, that every seventh Class Day at Harvard will be rainy — is rightly ridiculed as superstitious. Accordingly, as a final test of an imperfect induction, we try to estimate, by a consideration of underlying causes, the degree of probability that such a general law or statement is true.

Suppose that misfortune has several times followed the appearance of three black cats, that the instances seem fairly typical, and that we have heard of no contradictory instances. Then, without a search for the causal connection, we at once conclude that the two events are regularly associated in the course of nature. We jump to the broad statement that the appearance of three black cats is a sign of bad luck. We have made some pretense of generalizing, — a weak attempt, to be sure, since our induction is based on “simple enumeration,” — but still an attempt. It illustrates the typical fault of inductive reasoning, — hasty generalization from insufficient data in cases where there is not even a probable causal connection.

The outrageous advertisements of cheap family papers which still flood the mails are encyclopædias of unwarranted generalization. In proof that Professor Fakir’s lucky box will bring good fortune to all men, a dozen testimonials are presented; and the reader, unless he has tried the charm, finds no exception to disprove the rule. In proof that Madam Fakir possesses occult powers, the remarkable assertion is made that she is the seventh daughter of a seventh daughter! In proof that the Genuine Fakir Balsam will cure all men of all maladies, a reward of a hundred dollars is offered for a single

case of failure! To such amazing generalities, expressed or implied, the ignorant and the grossly superstitious apply no tests at all; and on their money the Fakir business thrives. The rest of us escape by asking how such things can be. The demand on our credulity is so great that we do not even examine the alleged cases; it is enough, for our everyday needs, that we cannot conceive the possibility that such general laws exist.

Generalizations range all the way from the mistakes of children, plainly caused by the limitations of experience, to the scientific generalizations at the other end of the scale, such as the law for falling bodies. Our generalizations go through this progression: at the outset they are based on the simple enumeration of a few chance observations, and at the end they are explained, to a greater or less extent, by the relation of cause and effect. Toward the lower end of the scale we must place most of our generalizations about the weather, about national characteristics, and about the fluctuations in the money market. Such generalizations owe little to our perception of causal relations. And yet they are gradually approaching the scientific end of the scale. We are constantly acquiring knowledge of the causes of epidemics which formerly seemed capricious. As our generalizations thus become explained by causal theory, they are narrowed and safeguarded against error. When we ask *why* black cats and misfortune must appear in succession, when we attempt to fix the links of causation between the two events, we are in a fair way to reveal the absurdity of the idea.

In testing our generalizations, we should endeavor to place them near the scientific end of the scale by discovering the underlying relations of cause and effect.¹

¹ This subject is well treated in Alfred Sidgwick's *The Process of Argument*.

SUMMARY OF THE TESTS OF GENERALIZATION

1. Is the relative size of the unobserved part of the class so small as to warrant the generalization?
2. Are the observed members fair examples of the class?
3. Are we reasonably sure that there are no exceptions?
4. Is it highly probable that such a general rule or statement is true?

II. ANALOGY

*An argument from analogy is the inference that if two objects resemble one another in certain points, they also resemble one another in some other point, known to belong to the one, but not known to belong to the other.*¹ For example, we infer by analogy that any fact, say the success of prohibition, known to be true of Seattle, is more likely to be true of Baltimore if Baltimore resembles Seattle in essential properties, than if Baltimore were not known to resemble any city of which the certain fact is true. *An argument from analogy* is, therefore,

¹ Baker follows Whately in confining the term *analogy* to resemblances "not so much in the things themselves as in the relations in which the things stand to other things." "Thus an egg and a seed are not in themselves alike, but bear a like relation to the parent bird and to her young nestling, on the one hand, and to the old and young plant on the other, respectively." Genung regards an argument from analogy as one which takes "relations that exist in one sphere of life or experience, as indications of what may be regarded as true of another sphere whose relations are similar." But whether the argument is based on similarity between objects in the same sphere of life or in different spheres of life, and whether the argument is based on similarity in the objects or in relations, the force of the argument depends on precisely the same conditions; we should apply the same tests, and expose its insufficiency by the same methods. For practical purposes, therefore, the distinctions would hardly be worth insisting upon, even if there were any agreement among writers. In this chapter, the term *Argument from Analogy* is used in the wider sense to include all arguments from example which do not amount to an induction, that is to say, all arguments from resemblance in which the operating principle is suppressed. Any one who prefers the term *Argument from Resemblance* for the whole class, with the *Argument from Analogy* as a sub-class, can readily make the distinction.

that kind of argument from example which *steps from one particular case to another particular case*. It does not amount to a complete or even attempted generalization.

The argument from analogy is often used in the scientific laboratory. For example, sodium and potassium are included in the same group, called alkaline metals, because of their common characteristics: both combine with oxygen to decompose water at all temperatures; their carbonates are soluble in water; and each metal forms only one chloride. Now, if chemists discovered a new property of one of these metals, they might infer by analogy that the other metal had the same property.

The germ theory of epidemic diseases was first suggested by analogy. Tyndall said that its particular force consisted "in the perfect parallelism of the phenomena of contagious disease with those of life. As a planted acorn gives birth to an oak competent to produce a whole crop of acorns, each gifted with the power of reproducing the parent tree, and as thus from a single seedling a whole forest may spring, so, it is contended, these epidemic diseases literally plant their seeds, grow, and shake abroad new germs, which, meeting in the human body their proper food and temperature, finally take possession of whole populations."¹

Lincoln used the argument from analogy with notable effect. To those who urged a change of commanders in the middle of the Civil War, he replied that he thought it poor policy to swap horses while crossing a stream. Similarly, he reasoned with those who complained that the war was moving too slowly:—

Gentlemen, I want you to suppose a case for a moment. Suppose that all the property you were worth was in gold, and you had put it in the hands of Blondin, the famous rope-walker, to carry across the Niagara Falls on a tight rope. Would you shake the rope while he was passing over it, or keep shouting to him, "Blondin, stoop a

¹ Jevons, *Principles of Science*, vol. 1, p. 224.

little more! Go a little faster!" No, I am sure you would not. You would hold your breath as well as your tongue, and keep your hand off until he was safely over. Now, the government is in the same situation. It is carrying an immense weight across a stormy ocean. Untold treasures are in its hands. It is doing the best it can. Don't badger it! Just keep still, and it will get you safely over.

These examples show that we base an argument from analogy on a preponderating resemblance between two situations, or objects, or individuals, or classes, which is sufficient, we believe, to warrant us in inferring that the resemblance in known particulars extends to unknown particulars.

An argument from analogy may create an exceedingly high degree of probability, but taken alone should rarely be regarded as conclusive proof. Analogy — depending on a single case — is often only a makeshift for complete induction — for scientific generalization. And yet human affairs are so pressing and so complicated that sometimes men cannot wait until the process of induction has provided even an imperfect generalization. Since, then, the argument from analogy is precarious, and yet often the best to be had at a given time, we shall do well to study and apply the tests of its soundness.

A first test of the argument from analogy. In the argument from analogy we weigh details rather than count them. Before drawing any inference from the similarity of objects, we must show that the points of likeness outweigh the points of difference. Before drawing any inference from the dissimilarity of objects, we must show that the points of difference outweigh the points of likeness. No *number* of irrelevant details of comparison or of contrast can tip the beam. Only *essential* particulars have any weight in an argument from analogy.

What is an essential particular? The axiom of formal logic, "Whatever is true of a thing is true of its like," begs the whole difficulty. Before we can accept so loose a prin-

ciple for the purpose of guiding our conduct, we must ask what sort of likeness is sufficient. The method of analogy is not a cogent process in argument unless we rightly estimate the *importance* of likenesses and differences.

An agreement or difference is *essential* when it is sufficiently important for the purpose at hand; it has significance only with reference to some particular argument from analogy. The importance varies, therefore, with the purpose. What would be an essential difference between California and Michigan, with respect to the prospects of success in motor-car manufacture or orange-growing, might be an irrelevant difference with respect to the problems of bank inspection or jitney regulation. Thus it appears that likenesses and differences are significant only with reference to the question at issue; they may be disregarded only when they are shown to be irrelevant. The first task, then, in the argument from analogy is to differentiate the essential from the irrelevant details of comparison and contrast.

Burke applied this test to his arguments from analogy in the case of the trouble between England and her American colonies, to show that the policy of the mother country should be conciliation through granting the colonies representation in Parliament. He said: "Sir, I am sure that I shall not be misled when, in a case of constitutional difficulty, I consult the genius of the English Constitution. Consulting at that oracle — it was with all due humility and piety — I found four capital examples in a similar case before me: those of Ireland, Wales, Chester, and Durham." Then, after presenting these four arguments from analogy, he took great care to show that the analogy was sound in *essential* particulars: —

Now if the doctrines of policy contained in these preambles, and the force of these examples in the Acts of Parliament, avail anything, *what can be said against applying them with regard to America?* Are not the people of America as much Englishmen as the Welsh?

The preamble of the Act of Henry the Eighth says the Welsh speak a language no way resembling that of his Majesty's English subjects. Are the Americans not as numerous? If we may trust the learned and accurate Judge Barrington's account of North Wales, and take that as a standard to measure the rest, there is no comparison. The people cannot amount to above 200,000; not a tenth part of the number in the colonies. Is America in rebellion? Wales was hardly ever free from it. Have you attempted to govern America by penal statutes? You made fifteen for Wales. But your legislative authority is perfect with regard to America. Was it less perfect in Wales, Chester, and Durham? But America is virtually represented. What! does the electric force of virtual representation more easily pass over the Atlantic than pervade Wales, which lies in your neighborhood — or than Chester and Durham, surrounded by abundance of representation that is actual and palpable? But, Sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient for the freedom of the inhabitants of territories that are so near, and comparatively so inconsiderable. How then can I think it sufficient for those which are infinitely greater, and infinitely more remote?

What we mean by an essential point of difference is illustrated by a remarkable case of protective mimicry. The monarch butterfly and the viceroy butterfly look almost exactly alike. But the striking similarities in color and marking and form do not render the two species analogous from the viewpoint of the spider. The monarch, being poisonous, is not good to eat. For the purposes of the spider, therefore, the two species are essentially different.

An illustration of untrustworthy analogy is furnished by the argument from the success of the Suez Canal to the probable success of the French venture in starting the Panama Canal. People wanted to know whether Panama Canal shares would turn out to be a good investment. But the construction of great ship canals is so rare an event as to offer no generalization concerning their probable success. Only a single example was available. From this, investors argued that since the Panama Canal resembled the Suez Canal in several particulars, — among others in being planned by the

engineer DeLesseps, — and since the Suez Canal was a success, therefore the Panama Canal would be a success. But they overlooked *essential* differences in climate and in engineering difficulties. Thus an untrustworthy analogy led to the loss of many millions.

In a debate on the question whether state boards of arbitration similar to the Massachusetts board should be established in certain States, one speaker opposed the plan by pointing to the failures of arbitration boards in Iowa and Kansas. But the next speaker proved this to be a false analogy by showing that the Iowa and Kansas boards lacked certain powers which were *essential* features of the Massachusetts board: "the power to compel the attendance of witnesses, the power to compel the submission of books, documents, and other relevant testimony, and the power to call upon mayors and other local officers to furnish, as soon as possible, information concerning labor troubles." As these were among the features on which the success of the proposed boards of arbitration depended, the contention against the proposition, based on the failures of boards which lacked those essential powers, was rightly regarded as a false analogy.

Consider, for example, the question whether the kind of religious instruction which is successful in private schools would be successful in public schools. Now the points of likeness between private schools and public schools are numerous; but the many points of likeness may be ignored in this question because they are far outweighed by the few points of difference.

Some analogies are so exact in a few weighty details, and apparently so far beyond the realm of accident, that from them conclusions may safely be drawn for practical purposes. Relying on the strength of arguments from analogy to insure legal redress in case of a violation of copyright, the publishers of city directories commonly invent and insert bogus names and addresses. A publisher who fraudulently uses

such a directory in preparing a new one is detected by the fact that he copies the invented names as well as the real ones. A new directory for the city of Boston was condemned by law because its striking similarity to an older directory, compiled by another publisher, could be accounted for only by the supposition of fraud. The fact that the new list contained many genuine names and addresses also found in the old list was of no weight; the fact that the new list varied from the old list in many respects was also of no weight; but the fact that the new list contained those bogus names which could be obtained from only one source was a point of similarity sufficient to outweigh all points of difference, and thus to settle a case at law.

If we make an inference from analogy that is inconsistent with known facts, the analogy is at once discredited. For example, if a chemist infers by analogy that a substance possesses a certain property, and then finds that this property is incompatible with a known property of the substance, he discards the idea suggested by analogy. Another good illustration deals with the question of the possibility of life on the moon. The many points of resemblance between the moon and the earth suggest the idea that the moon is inhabited; but the fact that the moon has no atmosphere, without which life is impossible, at once discredits this argument from analogy. Its conclusion is inconsistent with a known fact.

In this connection we may well recall all that we know concerning the natural tendency of the mind to minimize or entirely overlook facts that tend to refute a desired conclusion. The desire to make an analogy hold good acts like a blinder; we have special difficulty in seeing what we do not want to see. For this reason our search for facts which are inconsistent with conclusions reached by analogy should be aggressive rather than passive or reluctant. Especially is this true of those analogies which we ourselves wish to em-

ploy as proof; the danger of overlooking the beam in the eye of our brother's analogy is not so great.

After determining the weight of each point of comparison or of contrast, by considering whether it is essential to the point at issue, we should ask: —

Are the points of similarity outweighed by points of difference?

A second test of the argument from analogy. The most cogent kind of argument from analogy (called the argument *a fortiori*) tends to prove that what is known to be true of the analogous case is even more likely to be true of the case in question. This kind of argument is used in economics and government to show that a principle known to apply to one community or State applies with even greater force to the community or State under discussion. Thus Burke reasoned in the argument quoted above. Other good examples are found in the Bible, such as, "Wherefore, if God so clothe the grass of the field, which to-day is, and to-morrow is cast into the oven, shall he not much more clothe you, O ye of little faith?"

The following argument was used by a student in a speech favoring the intervention of the United States to bring about reforms in the Congo Free State: —

Now we rely for our evidence (in proof of the inhuman treatment of natives in the Congo) mainly on the report of the King's Commission. Let me call your attention to the fact that my opponent admits the validity of this report. His chief objection to it is that it covers only about a quarter of the territory in question. That is true. But bear in mind that the other three quarters of the state is entirely closed to the world. The Commission covered that part of the territory which is in closest touch with civilization. Yet the rubber collection is carried on throughout the whole state. If this collection is attended by such horrors as I have shown in that part closest to civilization, what must be the condition in that section into which civilization has not entered!

• **We should test all arguments from analogy to find, if possible,**

reasons why the facts known to be true of the analogous cases are more likely or less likely to be true of the cases in question.

A third test of the argument from analogy. So far the aim of our tests has been to determine to what extent the alleged points of similarity or difference in parallel cases justify the inference by analogy. In other words, we have so far tested only *the validity of the reasoning process*. But we may object to an argument from analogy on quite another ground, namely, by questioning *the facts alleged to be true* either of the example or of the case under dispute.

We may take an illustration from the daily press. A Baltimore newspaper, in an attempt to prove that military drill should be compulsory for boys in the public high schools of that city, cited the experience of Boston as an example. The argument ran somewhat like this: Boston and Baltimore resemble each other closely in all the features which bear essentially on the question; therefore, since military drill has been successful in Boston high schools, it would prove successful in Baltimore high schools. The inference in this argument from analogy appears to have no glaring defects; it stands all the tests. But the alleged facts may well be questioned. Has military drill really been a success in the schools of Boston? This test of the facts, rather than the tests of the reasoning process, reveals the weakness of the argument.

A man would be arguing from analogy who attempted to prove that the United States Government should not own and control the railroads because of its failure with the postal system. An opponent might discredit this analogy by showing that the Government had been reasonably economical and effective in its management of the postal system.

Men sometimes seek to divert attention from flaws in their arguments by devoting much time to objections which they are prepared to meet. Thus, in using an argument from analogy, they take pains to prove the two cases analogous,

while they assume, without proof, the truth of the alleged facts on which the analogy is based. Any one who is aware of the chief sources of error in each kind of argument will be on his guard against such devices.

We should test all arguments from analogy to determine whether the alleged facts are true.

ANALOGY AS EXPOSITION AND ANALOGY AS ARGUMENT

Great care should be taken to distinguish between analogy which is offered merely as exposition — for the purpose of making the meaning clear or driving a point home — and analogy which is offered as evidence. Consider the following example: —

THE DIG-IT-UP *vs.* THE HAND-ME-DOWN METHOD OF INSTRUCTION

Tom, Dick and Harry were three pigs — brothers — of the same age and same possibility so far as modern veterinary science could ascertain. They were distinguished guests and exhibits at this year's Texas State Fair. Each had been scientifically fed.

Tom was fed on scientifically balanced rations — a dietary course which he was further permitted to balance according to his appetite. In six months he gained 94 pounds and was worth less than it had cost to feed him.

Dick had the same balanced diet as Tom but in addition was given every day some alfalfa to nose and eat between meals. He gained 200 pounds in the same six months and earned a good profit beyond his feeding.

Harry had the same balanced diet as Tom, plus the same alfalfa as Dick plus an open gate through which he was allowed to roam and root the near-by fields. He gained 310 pounds in six months!

In these days of educational experiments such as the Gary system, prevocational school, junior high school, no home study, one subject at a time, etc., is there need for more open gates for human Toms, Dicks and Harrys? ¹

As an *introduction* to an argument, this is excellent; by its humor, concreteness, and swift and unexpected applica-

¹ From a bulletin of the Public Service Bureau, New York, 1917.

tion, it gains willing attention at the outset. For purposes of explanation it is a useful analogy. But it should not be regarded as evidence until it has satisfied the above tests. No matter how amusing it may be, or how "pat" it may seem, or how sound we believe or desire the conclusion to be, we should not offer or accept this analogy as proof unless the conditions most affecting the physical growth of hogs are essentially the same as the conditions most affecting the mental growth of children.

George Eliot shows how the weakness of an analogy may often be exposed by merely changing the analogy:—

Mr. Stelling concluded that Tom's brain, being peculiarly impervious to etymology and demonstrations, was peculiarly in need of being ploughed and harrowed by these patent implements: it was his favorite metaphor, that the classics and geometry constituted that culture of the mind which prepared it for the reception of any subsequent crop. I say nothing against Mr. Stelling's theory: if we are to have one regimen for all minds, his seems to me as good as any other. I only know it turned out as uncomfortably for Tom Tulliver as if he had been plied with cheese in order to remedy a gastric weakness which prevented him from digesting it. It is astonishing what a different result one gets by changing the metaphor! Once call the brain an intellectual stomach, and one's ingenious conception of the classics and geometry as ploughs and harrows seems to settle nothing. But then it is open to some one else to follow great authorities, and call the mind a sheet of white paper or a mirror, in which case one's knowledge of the digestive process becomes quite irrelevant. It was doubtless an ingenious idea to call the camel the ship of the desert, but it would hardly lead one far in training that useful beast. Oh, Aristotle! if you had had the advantage of being "the freshest modern" instead of the greatest ancient, would you not have mingled your praise of metaphorical speech, as a sign of high intelligence, with a lamentation that intelligence so rarely shows itself in speech without metaphor, — that we can so seldom declare what a thing is, except by saying it is something else?¹

A careful application of tests will show that the following analogy, used by William Jennings Bryan, is sound argument:—

¹ *Mill on the Floss*, book II, chap. I.

This false philosophy that has brought Europe into this war will, in my judgment, bring into war any nation that adopts it. Europe has built its hope of peace upon a false foundation, upon the foundation of force and fear and terrorism; the only hope of peace that these European nations have had rested in the belief that each could terrorize the other into peace.

It is a false philosophy; if you want to see how false it is try it on a neighborhood. The big questions between nations are settled by the very same rules that we apply to neighborhoods. I will show you what this philosophy is, and then you can judge whether it can be expected to bring anything else except war.

Suppose you have two farmers living side by side, good farmers, well-meaning farmers who wanted to be friends, and suppose they tried to maintain peace on the European plan, how would they go at it? One would go to the nearest town and buy the best gun he could find, and then he would put a notice in the paper saying that he loved his neighbor and that he had no thought of trespassing upon his neighbor's rights; but that he was determined to defend his own rights and protect his honor at any cost, that he had secured the best gun in the market and that if his neighbor interfered with him, he would shoot him. Then suppose the neighbor went to town the next day and got him a better gun and, with the same frankness, consulted the newspaper and put in a similar notice explaining that he loved peace as well as his neighbor did but that he was just as determined to defend his own rights and protect his honor and that he had a better gun than his neighbor and that, if his neighbor crossed his line, he would kill him. And suppose then the first man, when he read that notice, went to town and got two guns and advertised that fact in the paper, and the second man, when he read it, went to town and got three guns, and so on, each alternately buying guns. What would be the result? Every undertaker in that vicinity would go out and become personally acquainted with the two men, because he would know there would be at least one funeral in that neighborhood. That is the European plan. One country gets a battleship and announces that it can blow any other battleship out of the water; then a rival nation gets a dreadnaught that can sink the battleship; then the first nation gets a super-dreadnaught; then they go to the dictionary and look for prefixes for the names of their battleships as they build them larger and larger; and they make guns larger and larger and they equip armies larger and larger, all the time talking about how much they love peace and all the while boasting that they are ready for a fight.

Go back to the time when they commenced to pass laws against the carrying of concealed weapons and you can get all the material you want for a speech on preparedness, because the arguments made in favor of carrying revolvers can be put into the speeches made today in favor of preparedness, without changing a word. Did you ever hear of a man who wanted to carry a revolver to be aggressive? No, it was just to protect his rights and defend his honor, especially his honor, but they found by experience that the man who carried a revolver generally carried with it a disposition to use it on slight provocation and a disposition to provoke its use by others. For the promotion of peace, every state in this union has abolished preparedness on the part of individuals because it did not preserve peace. It provoked trouble, and unless we can convince ourselves there is a moral philosophy applicable to nations that is just the opposite of the moral philosophy applied to individuals, we must conclude that, as the pistol-toting man is a menace to the peace of a community, so the pistol-toting nation is a menace to the peace of the world.¹

ANALOGY RARELY SUFFICIENT AS ARGUMENT

The tentative conclusions, which analogy suggests as possible or probable truths, may be justified by other arguments. An analogy, if we suspect its insufficiency, may stimulate and direct the search for generalizations and causal explanations. This search may either tend to justify the analogy or reveal its weakness.

Thus, by the aid of the argument from analogy, Lockyer made important discoveries regarding the composition of the sun. He observed that most of the elements found in the sun formed stable compounds with oxygen. He inferred that other elements, known to have the same property, would be likely to exist in the sun. To this point he proceeded by analogy. He then used other methods to verify the conclusion thus suggested by analogy, and in this way actually discovered five of the metals which the analogy prompted him to look for.²

¹ *International Conciliation*, Pamphlet no. 106, September, 1916. Published by the American Association for International Conciliation.

² Jevons, *Principles of Science*, p. 676.

The first suggestion which led Harvey to discover the circulation of the blood came through observed analogy. He learned that the valves in many veins lie open as long as the blood flows through them toward the heart, and no longer. He thought of the many analogous mechanical contrivances, such as animal traps and tide-water gates, which have similar valves adapted to definite ends. This suggested the idea that similar ends might be served by the valves in the veins. This was for Harvey merely a starting-point; he proceeded to test the analogy by careful experiments. He tied arteries and veins and observed the effects on the flow of blood. He reasoned from causal relations. For nineteen years he kept up this observation and study, until he had traced to his own satisfaction the entire course of the blood through the human body. Thus he verified a theory first suggested by analogy.¹

In this way various kinds of argument may work together, each producing a new probability of the truth or falsehood of the proposition. But analogy alone should never be regarded as producing more than one element of probability, even in cases seemingly most conclusive. By the cumulation of probabilities we arrive at moral certainty, though never absolute certainty, on debatable questions.

We should test the conclusions suggested by arguments from analogy to determine whether they are verified or discredited by other kinds of argument.

SUMMARY OF THE TESTS OF THE ARGUMENT FROM ANALOGY

1. Are the points of similarity outweighed by points of difference?
2. Is the fact known to be true of the analogous case even more likely to be true of the case in question?
3. Are the alleged facts on which the analogy is based really true?

¹ This example is quoted by J. G. Hibben in a suggestive chapter.

EXERCISES FOR THE SIXTH CHAPTER

1. What kind of argument is used in each of the following quotations? Apply the tests of validity in each case.
 - a. "If a servant girl applies for employment in a family, we demand, first of all, a recommendation from her former mistress. If a clerk is searching for work, he carries with him, as the *sine qua non* of success, certain letters which vouch for his honesty and ability. If a skilled workman becomes discontented and throws up his job, he has a right to ask of his employers an indorsement, and armed with that, he feels secure. Why should not every immigrant be required to bring a similar indorsement with him?"
 - b. Socrates, in order to show the absurdity of electing magistrates from the Athenian Senate by lot, used the following argument: "Would it be wise for sailors about to set out upon a long and dangerous cruise to cast lots among themselves to see who should be pilot, when the lot might as surely fall upon a wretch who knew nothing of the shoals and rocks in their course, or the art of navigation, as upon the most careful seaman?"
 - c. "On the contrary, fair play demands that the United States refrain from intervention at this time, just as fair play prompted the policy of Great Britain on this very question of Congo intervention. Why should the United States do otherwise?"
 - d. "Cæsar had his Brutus, Charles I his Cromwell, and George III — may profit by their example." — Patrick Henry.
 - e. "No body can be healthful without exercise, neither natural body nor politic; and certainly to a kingdom or estate, a just and honorable war is the true exercise. A civil war, indeed, is like the heat of a fever, but a foreign war is like the heat of exercise and serveth to keep the body in health." — Bacon: *Civil and Moral Essays*, p. 207.
 - f. Any one who examines the records will soon find out for himself that those students who "scatter" most in their choice of studies are those who accomplish least in any of them.
 - g. "It does not even follow that institutions to be found in all prosperous countries, and not to be found in backward countries, are therefore beneficial. For this at various times

might confidently have been asserted of slavery, of polygamy, of aristocracy, of established churches; and it may still be asserted of public debts, of private property in land, of pauperism, and of the existence of distinctly vicious or criminal classes." — Henry George.

- h.* "Is it so bad, then, to be misunderstood? Pythagoras was misunderstood, and Socrates, and Jesus, and Luther, and Copernicus, and Galileo, and Newton, and every pure and wise spirit that ever took flesh. To be great is to be misunderstood." — Emerson, *Self-Reliance*.
- i.* "I am a Jew. Hath not a Jew eyes? hath not a Jew hands, organs, dimensions, senses, affections, passions? fed with the same food, hurt with the same weapons, subject to the same diseases, healed by the same means, warmed and cooled by the same winter and summer as a Christian is? If you prick us, do we not bleed? If you tickle us, do we not laugh? If you poison us, do we not die? And if you wrong us, shall we not revenge? If we are like you in the rest, we will resemble you in that." — Shylock, in *The Merchant of Venice*.
- j.* "Human experience in every walk of life teaches us that those who have blundered will blunder again, and that the wisest course is not to employ a ship captain who has just emerged from his last shipwreck, but the sailor who has never lost a ship, a passenger, or a letter, but has held safe through every sea. He may have lost masts and sails and even been rudderless for hours, but if he has every time come safe to shore, better have him than all the landsmen who are forever shouting what they can do, and never dare to tell of what they have done. Boasters are worth nothing. Deeds are facts and are forever and ever. Talk dies in the empty air. Better a pound of performance than a shipload of language. The cause of all our troubles is the rapid deterioration of our public men. When a ship runs on a mudbank in broad daylight, with the charts unrolled and the instruments of navigation in good order, the cause is not the ship herself, nor the passengers, nor the mudbank, nor the daylight, but the captain or the pilot." — Thomas B. Reed.
- k.* "When it is mutually realized by the parties concerned that security of life and property, like the security of truth, is not derived from military force; that military force is as

ineffective, as irrelevant, to the end of promoting prosperity as of promoting truth, then political wars will cease, as religious wars have ceased, for the same reason and in the same way." — Norman Angell, in *Arms and Industry*.

- l.** "I have also found that the visits of bees are necessary for the fertilization of some kinds of clover. For instance, twenty heads of Dutch clover . . . yielded 2290 seeds, but twenty other heads protected from bees produced not one. Again, one hundred heads of red clover . . . produced 2700 seeds, but the same number of protected heads produced not a single seed." — Darwin, *Origin of Species*, chap. III.
- m.** "To rear a boy under what parents call the 'sheltered-life system' is, if the boy must go into the world and fend for himself, not wise. . . . Let a puppy eat the soap in the bathroom or chew a newly blacked boot. He chews and chuckles, until, by and by, he finds out that blacking and Old Brown Windsor make him very sick; so he argues that soap and boots are not wholesome. Any old dog about the house will soon show him the unwisdom of biting big dogs' ears. Being young, he remembers, and goes abroad, at six months, a well-mannered little beast, with a chastened appetite. If he had been kept away from boots and soap and big dogs till he came to the full-grown and well-developed teeth, just consider how fearfully sick and thrashed he would be! Apply that notion to the 'sheltered life' and see how it works." — Kipling, *Plain Tales from the Hills; Thrown Away*.
- n.** "What would happen if the reins of government were seized by a group of very radical and advanced Socialists or Syndicalists, or other social reformers? Well, nothing at all would happen; things would go on very much as usual. It has occurred more than once in Europe that wild revolutionaries have achieved power — and they generally end by accomplishing less than their more conservative colleagues — and becoming more reactionary.
"They are obliged to realize that society, because it is an organism, cannot stop breathing while experiments are made with its internal mechanism. The mere possession of power does not give you control either over a complex machine or a complex organism. If the mechanism of your motor-car works imperfectly, it serves no purpose that you

have a crow-bar which will smash the whole thing to pieces. You must 'know how' or you are helpless, since the power of destruction serves no purpose at all.

"And the revolutionaries who have from time to time 'arrived' have not 'known how.' For the social organism is even more complex than a motor-car, and its general control is in the hands not of experts, but of all of us." — Norman Angell, *To the American Student*, an open letter published by the American Association for International Conciliation, March, 1914.

2. "In the Yale-Princeton intercollegiate debate of 1895, Yale contended that the *referendum* had failed in Switzerland, and therefore, in all probability, would fail in the United States. On the other hand, Princeton maintained that the *referendum* had succeeded in Switzerland, and therefore, in all probability, would succeed in the United States. Supposing the premise true in each case, which position is the stronger?" — Hibben's *Logic*.
3. What conclusions may be safely drawn from the facts in this quotation? "The warden of the Massachusetts state prison stated that, of 220 men sentenced during that year, 147 were without a trade, or any regular means of earning a living. In Pennsylvania, during a recent year, nearly 88 per cent of the penitentiary convicts had never been apprenticed to any trade or occupation; and this was true also of $68\frac{1}{2}$ per cent of the convicts sentenced to county jails and workhouses in the same state during the same year. Further, in Mr. Frederic Wines's recent report on homicide in the United States in 1890, it is shown that, of 6958 men, 5175, or more than 74 per cent of the whole, were said to have no trade." — Ferrero, *Forum*, November, 1896.
4. Mention a superstition which rests on inductive reasoning. Why do you credit or discredit the belief?
5. Mention instances, in connection with each of the courses of study you are now taking, in which you have recently used inductive reasoning.
6. Present what you regard as a sufficient number of instances to prove or disprove one of the following generalizations:
 - a. The students who work most unselfishly for the good of the college are the happiest.
 - b. Large school committees are less efficient than small ones.
 - c. It is the custom nowadays for wealthy men to endow educational institutions.

- d.* There is usually a large city near the mouth of a large river.
- e.* Students cannot long retain their health without systematic physical exercise.
- f.* All evil is due to selfishness.
- g.* Business depression precedes presidential elections.

7. What kind of argument is here used? What is its worth?

“Did Dickens deliberately aim to improve educational systems and reveal the principles of educational philosophy? The answer is easily found.

“He was the first great English Student of Froebel. He deals with nineteen different schools in his books. He gives more attention to the training of childhood than any other novelist or any other educator except Froebel. He was one of the first Englishmen to demand national control of education, even in private schools, and the thorough training of all teachers. He exposed fourteen types of coercion, and did more than any one else to lead Christian men and women to treat children humanely. Every book he wrote, except two, is rich in educational thought. He took the most advanced position on every phase of modern educational thought, except manual training. When he is thoroughly understood he will be recognized as the Froebel of England.” — J. L. Hughes, *Century Magazine*, vol. LVII, p. 501.

8. Provide an analogy which might be used toward the proof of the proposition chosen for your forensic or debate. Apply the tests of the Argument from Analogy.

9. Criticize the following opening of an intercollegiate debate: —

“We do not agree either with those pacifists who favor total disarmament or those jingoes who would make nine tenths of our total male population regular soldiers.

“It has been my pleasure during my lifetime to be personally and intimately acquainted with three dogs. The first of these was a little rat terrier with a stiff tail and a limber backbone. That little fellow was wholly unable to protect himself and his life was one long succession of fighting. The second was a powerful bulldog, amply prepared to defend himself, but coupled with his ‘preparedness’ he had an aggressive, domineering attitude. He tried to ‘lord it over’ all his dog neighbors, and his life, too, was a long succession of fighting. And then I knew a third dog, a magnificent mastiff, as well prepared to defend himself as the bulldog, but without the aggressive, domineering attitude. He demanded that

his rights be respected just as he was willing to respect the rights of all his canine friends. And that dog lived his life without fighting, and 'at last sank to sleep with all his institutions intact and his personal and property rights thoroughly respected.'

"This is as true of nations as it is of dogs. That nation that is unable to protect itself is the victim of all great nations who are able to protect themselves. China, poor old China, the football of all the other nations for the past two hundred years, is a living example of this rule. 'Whenever any nation is seized with a sudden and unaccountable liking for a certain Chinese port, it takes that port. But whoever heard of any nation taking a port in Germany or in England?' What policy do you choose for your country? The defenseless rat terrier policy? We would not. Now, we do not ask that America adopt the aggressive, domineering, bulldog type of preparedness. But we do ask that she adopt the mastiff policy, that she place herself in a position to demand and enforce respect of her rights, just as she respects the rights of others. In short, we advocate adequate armament for defense and not for aggression." — From the report in the *University Debaters' Annual*, 1915-16 (H. W. Wilson Company, White Plains, New York), of the University of Texas-University of Missouri debate.

SEVENTH CHAPTER

PROVING THE PROPOSITION: ARGUMENT FROM CAUSAL RELATION

“Our belief in what we call the evidence of our senses is less strong than our faith that in the orderly sequence of events there is a meaning which our minds could fathom were they only vast enough.” — JOHN FISKE.

WE have examined the classification of all argument into inductive and deductive argument as the basis of the science of logic, and as a means whereby to test the validity of simple reasoning processes. We have seen, further, that inductive reasoning in practical affairs takes the form of the Argument from Example — either as Generalization or as Analogy — and is often the best to be had.

As the ultimate justification of all such arguments, however, we have looked to underlying causal relations. As no reasoning — not even a generalization which satisfies all other tests — can commend itself except on the assumption that a causal relation exists, we may derive considerable help in our own reasoning by studying arguments which direct attention to causal connections. All such arguments proceed from effect to cause, from cause to effect, or from effect to effect. All rest on the universal belief in causation: nothing happens without sufficient cause.

As every inference is a step from what we start with to what we learn, the argument from effect to cause and the argument from cause to effect are both processes of reasoning from the known to the unknown. One process argues from a known effect to an unknown cause, whereas the other argues from a known cause to an unknown effect. If we start with an observed act of a human being and attempt to find a motive for that act, we argue from effect to cause. If we

start with a known motive and attempt to prove that it will result in a certain act, we argue from cause to effect.

I. ARGUMENT FROM EFFECT TO CAUSE

The argument from effect to cause attempts to prove that a given cause operates or has operated by pointing to an observed effect which could be due to no other cause.

Coming suddenly upon a clearing in the woods beside an inviting spring, we find a bed of boughs and the ashes from a small fire. We conclude that somebody has camped there. We argue from what comes after to what we believe must have gone before. That is to say, we go back to a period of time before an observed act and select from inferred antecedent circumstances those which have a probable causal connection with the observed act. This is called *a posteriori* reasoning, the term meaning "from what comes after."

This kind of argument is from a *known* effect to its *supposed* cause, as when we hold that the observed movements of a heavenly body can be accounted for only by the supposition that a planet yet undiscovered is operating as a cause of those movements.

The following table from a daily newspaper is an argument from effect to cause. It is an attempt to show that certain gains observed in 1916 over 1915 were due to the operation in 1916 of a new cause, namely, the prohibition of the liquor traffic.

HOW PORTLAND, OREGON, HAS FARED UNDER ONE YEAR OF PROHIBITION

SOCIAL CONDITIONS

	1915	1916
	Saloons	Prohibition
Non-support cases	91	31
Insane commitments (in Jail)	844	256
Vagrants in County Jail	406	32
Prisoners in Jail in December	215	69
Arrests by police (11 months)	18,243	10,042
Intoxication cases (11 months)	6,305	1,820
Number in Penitentiary	566	440

ECONOMIC CONDITIONS

Bank clearings.....	\$554,446,756	\$649,775,141
Bank deposits.....	72,577,031	91,894,478
Savings deposits (in state).....	21,352,228	25,445,242
Time deposits (in state).....	14,835,474	17,932,235
Building permits.....	4,895,345	6,049,145
Real estate transfers.....	371,970	572,209
Number of water connections.....	58,926	59,952
Electric connections.....	40,418	41,640
Telephones in use.....	56,020	58,870
School enrollment.....	84,500	95,100
Gas connections.....	48,480	45,079

This argument, like all other arguments from effect to cause, must establish a reasonable probability that no other cause could have produced the known effect. For this purpose it is necessary to demonstrate the probability that the assumed cause was sufficient, if operating, and was not prevented from operating by other causes.

The strength of the argument depends first on the degree of certainty with which the cause is established. If only a possible cause is found, the argument is weak. Even when a probable cause is found, the argument is still inconclusive. Upon examining the gains in the above table, for example, we ask at once how many of the gains were due to prohibition, how many to the war, how many to the normal growth of Pacific Coast cities?

The great difficulty with all arguments from effect to cause is in establishing so sweeping a negative proposition,—namely, that no other cause but the one in question could possibly have produced the effect. A man is found dead, washed ashore by the tide; the natural supposition that the man met death by drowning singles out only one of several possible causes. Imagine a merchant attempting to find the cause of his gain in trade. The effect is sure: there it is, dollar for dollar, in his sales accounts. But what did it? Was it better salesmanship or better advertising? Suppose he

thinks the cause was advertising. Then what form of advertising? Newspapers? If so, what newspapers? And which advertisements? Was it street-car cards? If so, what cards? The fact that every question thus stretches out in many directions complicates the problem of finding the cause of a known effect.

This difficulty in establishing a single cause for observed effects confronts the campaign speaker who tries to prove that prosperity, as shown by the increase in bank clearings, savings-bank deposits, building permits, foreign trade, and wages, is all due to the administration of a particular political party. Another party can usually find other causes of prosperity — tariffs, wars or bumper crops — which seem to many people quite as potent. The advocate of prohibition of the liquor traffic evades the difficulty of his argument from effect to cause when he shows merely that the savings-bank deposits have increased since the saloons were closed. He must show that the gain is due wholly or mainly to the new law; otherwise an opponent may demolish the argument by presenting other causes which seem more probable. A student argues that his sickness is due to overstudy when it may be due to overeating. The weakness of an invalid argument from effect to cause may be shown by establishing another and more probable cause.

Usually there are many links of causation.¹ To attribute the decline in American shipping to the fact that profits decreased is to take only one short step toward the fundamental cause. We have still to consider various economic conditions which show *why* profits decreased. More and more men and women are engaged in the professional study of Education. What are the causes? A secondary cause is that more and more States and cities are requiring the study of educational history and theory as a part of the training of teachers. A

¹ In this connection, read the speech of Calhoun, quoted under "The Origin and History of the Question," in the Second Chapter.

primary cause is the recognition of Education as an organized endeavor to accomplish definite ends rather than as a mere routine.

Superficial reasoning reaches nothing but secondary causes. Thus the ticking of a clock may be the secondary cause of sleeplessness, while the very fact that the clock tick keeps the person awake indicates a physical condition which is an underlying cause. When a child has discovered that the wheels of a watch make the hands go, he has still to inquire what makes the wheels go. Scientists were not satisfied with the explanation that the world rests on the shoulders of Atlas and that Atlas stands on a tortoise. They sought for the support of the tortoise.

In the affairs of every-day life people are usually satisfied with removing the mystery of cause one or two steps, but the deep reasoner endeavors to make the whole journey from an observed effect to its fundamental cause. He tests his own arguments and those of his adversaries to see whether the probing has been deep enough to uncover the underlying causes. Strictly speaking, to find the fundamental cause is impossible. The best one can do is to go far enough to find that cause which for his immediate purpose is most important. Here again he meets the necessity in argumentation for considering the attendant circumstances. For example, Mary Ann's bread does not rise. What is the cause? One may say it is the ignorance of the cook. Or, taking another step, he may say that the bread failed to rise because the yeast was overheated. If, by lowering the temperature, Mary Ann makes good bread in the future, he has gone deep enough into the causes for immediate purposes. The scientist would go deeper, striving to determine the effects of varying temperature on the yeast germs.

Many of the trite maxims for human conduct, such as "Perseverance is the secret of success," ignore the fact that no one cause is sufficient to produce what the world calls

success. This is an every-day fallacy, influencing human conduct widely. One man works hard and accumulates a fortune; and lo, in the popular mind, hard work alone is responsible for the fortune, while hundreds of cases in which hard work alone is insufficient are ignored. We may differ from John Burroughs when he says, "There is no waste material in a good proverb; it is clear meat, like an egg, — a happy result of logic, with the logic left out." That is precisely the trouble. With the logic left out, a proverb is usually only a half-truth. If we regard it as entirely true, without qualification, we must take our chances whether in a given instance it will lead us or mislead us. We should be alert to discover the necessary qualifications. Early to bed and early to rise — together with sufficient auxiliary causes — will make a man healthy, wealthy, and wise. We fail in the argument from effect to cause, not only by mistaking the cause of a known effect, but as well by regarding an insufficient cause as sufficient.

These dangers are less when a number of effects can be found all pointing toward the same cause. A number of observed effects upon the movements of heavenly bodies, caused apparently by the gravitation of an unknown planet, together with inductive reasoning from the general law for planets, led astronomers to believe that in a certain place in the heavens there must be a planet yet undiscovered by man. To that place they directed more powerful telescopes. Thus, in 1846, they discovered the planet Neptune, and verified the conclusion of their argument from effects to cause.

Even though we have shown beyond reasonable doubt that the single assumed cause, if unhindered, is sufficient to produce the effect, we must make sure that the operation of the cause is not prevented by other forces.

Burke asserted that the first cause of the quarrel with the colonies was taxation and not, as others said, the trade laws. To determine which of the two was the real cause, he

suggested two tests. First, he asked whether the commercial dispute did, in order of time, precede the dispute on taxation? As a matter of fact, it followed the dispute on taxation, and consequently could not have been the original cause of the quarrel. Next, he suggested removing the alleged cause and ascertaining whether the effect disappeared at the same time. "To enable us to judge," he said, "whether at this moment a dislike to the trade laws be the real cause of quarrel, it is absolutely necessary to put the taxes out of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain. Unless you consent to remove this cause of difference, it is impossible, with decency, to assert that the dispute is not upon what it is avowed to be."

If the removal of an assumed cause is followed at once by the disappearance of the observed effect, we have strong presumptive evidence that no other cause produced the effect.

II. ARGUMENT FROM CAUSE TO EFFECT

To attempt to show that a happening is probable, for the reason that there are known antecedent circumstances sufficient to bring about that happening, is to argue from cause to effect. We may argue thus from the past to a less remote past, from the past to the present, from the past to the future, from the present to the future, or from the future to the more remote future. In every case we argue from the known events of one time to the unknown events of a subsequent time.¹

¹ Sidgwick asserts that the only conceivable aim of any kind of knowledge, whether common or scientific, is this power of dealing with concrete facts through wisdom before the event, — the power of prediction from causes to effects.

This is called *a priori* reasoning, and is the usual form of what is sometimes called "argument from antecedent probability." The use of the latter term is so much confused that we have thought best to get along without it; though the argument itself is illustrated under various topics.

This kind of argument is common in criminal trials. We ask at once whether the known motive of the accused man was sufficient to prompt him to commit the crime. In arguing from the motive to the crime, we argue from a cause known to be operative to an alleged effect of that cause. As an illustration, let us suppose the question at issue is whether A destroyed his father's will. If the will disinherited A, and named an enemy of A as the legatee of the whole estate, there appears to have been sufficient reason for A to desire the destruction of the will. If we use this motive in an attempt to prove that A is guilty, we argue from a known cause to an effect under dispute. Lawyers in criminal trials frequently attempt to carry the minds of the jury back to the events just preceding the crime, in order to show causes then operative tending to prompt the prisoner at the bar to commit the crime of which he is accused.

In an argument from cause to effect, we must prove the probability that the cause is adequate to produce the alleged effect. If an *adequate* cause is shown to exist in a given case, the effect which usually follows that cause may reasonably be expected to follow in the case in question. Thus when a doctor finds the symptoms of diphtheria in a patient, he predicts the course of the disease from day to day. When he administers anti-toxin, he foretells the effects. He reasons from cause to effect, from the known events of one time to the unknown events of a later time.

We should always ask whether there are other causes sufficient to prevent the known cause from producing the effect in question. The chemist, in order to determine the effect of a given cause, separates the experiment in the laboratory from every possible cause but one, and his conclusion has scientific accuracy. But the great multitude of questions with which argumentation deals cannot be thus isolated; they are complicated, as we have seen above, by attendant circumstances. Many causes are operating at once. "It sometimes happens

that with perfect sanitary conditions a contagious disease will appear, that has always been regarded, and that correctly, as due to imperfect sanitation; or, an entire disregard of sanitary requirements and of all the laws of health may yet give rise to no disease of special moment. Certain conditions of temperature, atmospheric pressure, velocity, and direction of the wind, may one day bring storm and rain, and as far as observation can detect, similar conditions may again bring fair weather. So, also, the rise and fall in stock and money markets is extremely susceptible to the varying conditions of indefinitely complex forces wholly beyond all powers of determination or of prediction. . . . In such phenomena as these the problem is not simply to find a causal connection. The causal connection may be established beyond all reasonable doubt, and yet the cause obtains in the midst of so complex a setting that the problem is really this, to determine whether a cause, whose exact nature may be known or unknown, will prove operative or inoperative. The cause may be always present, and even its exact nature may be known, and yet the complex circumstances attending it may be of such a character that one alone, or two or more combining, may neutralize the operation of the cause, and on the other hand a slight variation of the combined circumstances may promote and even accelerate the operation of the cause in question.”¹

All attempts to prove the probability that an event happened or will happen by setting forth a seemingly sufficient cause are rendered futile by any positive evidence showing that the event did not happen or does not happen. No amount of proof that A desired the destruction of his father’s will can prove A guilty in the face of evidence that the will has not been destroyed.

During the fall of 1907 there appeared to be every cause

¹ J. G. Hibben, *Logic, Deductive and Inductive*. (Charles Scribner’s Sons, New York, 1905.)

of "good times" throughout the United States. In addition to all the circumstances which had made the previous years highly prosperous, there was the assurance of good crops. Many argued that the effect must be confidence in the money market and stimulation of industry. But this argument concerning what must happen fell down before the facts concerning what did happen, and gave little consolation to the stockholders who lost their securities and to the workmen who lost their positions. Many men maintained that the opening of Stanford University would cause a falling off in numbers of students at the near-by University of California. But this argument was not sustained by facts. Equally liable to error are the presumptions, furnished by the argument from cause to effect, that a given event cannot happen. A lawyer, upon visiting his client in prison and hearing the facts of the case, exclaimed, "Why, they can't put you in prison for that!" "But here I am," replied the client.

"Great is the syllogism!" said Charles Reade, in *Peg Woffington*. "But there is a class of arguments less vulnerable. If A says to B, 'You can't hit me, as I prove by this syllogism' (here followest the syllogism), and B, *pour toute réponse*, knocks A down such a whack that he rebounds into a sitting posture; and to him the man, the tree, the lamp-post, and the fire-escape, become not clearly distinguishable; this barbarous logic prevails against the logic in *Barbara*, and the syllogism is in the predicament of *Humpty Dumpty*."

The following editorial refers to the difficulty in proving that free wool will ruin the industry in the face of facts to the contrary:—

One tariff trench out of which the Republicans will find it hard to bomb the Democrats is the one named free wool. A circular letter issued by the First National Bank of Boston dwells upon the unparalleled prosperity of the manufacturers of woolen goods. . . . Now, of course, according to all protectionist logic and predictions, these things could not possibly have happened under free wool. And they will doubtless be described as one of the consequences of an

unforeseen war. That there is reason in this we do not deny; but it is not of a kind that can be used in a calamity-howling high-tariff campaign. As the *Chicago Tribune* admits, the old Republican "trick" about prosperity is "coming home." It remarks shrewdly: "People who have more money than they used to have will be very little interested, we suspect, in arguments telling them that by all the regular rules they ought not to have this money. The answer is that they have it."¹

The argument from cause to effect is evidently inconclusive. It can prepare the way for other arguments by creating presumptions, but it can do no more.

III. ARGUMENT FROM EFFECT TO EFFECT

An argument from one effect to another effect of the same cause is nothing more than an argument from effect to cause fused with an argument from cause to effect. If a boy says that there is skating to-day because the thermometer registers below the freezing-point, he really reasons from the low thermometer to its cause, the low temperature, and from that back to another effect of the same cause, namely, the frozen river. We may note in passing that the whole argument is based on inductive reasoning, which has led to the discovery of the general truth that a temperature below 32 degrees, Fahrenheit, always freezes water. In fact, all arguments from causal relation rest on principles generalized from observed instances.

As another illustration of this telescoped kind of argument from causal relation we may take the reasoning of a man who, when he hears the ticking of a watch, concludes that the hands are moving. He draws an inference from effect to effect of the same cause, namely, the elasticity of the watchspring. In other arguments, even when we have tested our facts and found them actually related as cause and effect, they may act and react upon each other in such a way that

¹ *The Nation*, June 29, 1916.

each, as we look upon it in different aspects, is both cause and effect. Such is the relation of drunkenness and poverty. But if one thing follows or accompanies another with perfect regularity, it matters little for practical purposes of argument whether they are related as cause and effect; or whether they are both effects of the same underlying cause. In all cases the principal tests are those that we have just explained.

THE SO-CALLED "ARGUMENT FROM SIGN"

Nearly all writers on argumentation attempt to differentiate what they call the argument from sign. But they are so far from agreement as to definition that the best we can do is to examine their illustrations. Thus, they say, we argue from sign when, on seeing the flags flying over the Capitol at Washington, we infer that Congress is in session; we argue from sign when we conclude from the decorations of a town that there is a public holiday, or from the appearance of a person that his health is good. A favorite example of this kind of argument is the common prediction of fair weather from the redness of the evening sky.

Let us examine these "arguments from sign," to determine whether this class is distinct; whether its members cannot be better explained as arguments from example or arguments from causal relation. If we made no mistake when we asserted above that all arguments rest on generalization, stated or implied, and that no argument, not even a generalization, can commend itself to a rational mind, except on the assumption that a causal relation exists, we ought to be able to explain all so-called arguments from sign by reference to generalization or causation, or both.

As a matter of fact, when we point to the flags above the Capitol and say that Congress is in session, do we not gain assurance from the fact that the "sign has never failed"? In other words, is not our conclusion based on the implied

generalization, drawn from years of observed instances, that whenever the flags are flying, Congress is in session? Again, would anybody venture to conclude from the redness of the sky this evening that to-morrow will be fair, if he did not believe that innumerable red skies and fair days justified a generalization? On the contrary, so dependent on implied general truths is every credible argument from sign, that any argument from sign which has no possible reference to such a general truth is at once regarded with suspicion. That is why a man who asserts that the approach of a certain comet is a "sign" of the end of the world is thought to be mentally unbalanced, for the approach of a comet has never been followed by calamity. It will be a profitable exercise to examine various "arguments from sign" — and they are in every-day use — with the view to tracking down the implied generalizations. If these cannot be found, or when found are unsatisfactory, the so-called arguments from sign are probably faulty.

Furthermore, since a generalization itself can be explained and verified only by reference to causation, it follows that all these "arguments from sign" which we have based on generalization must find their force, if they have any, in the uniformity of the laws of nature. It seems probable that most people who use so-called signs in reasoning assume that there is a relation of effect and cause between the sign and the thing signified, or between these two things and their common cause. Without such a relation, the argument from sign would be based on superstition or belief in the supernatural.

Let us point out the causal relations actually existing and probably influencing the conclusions in some of the examples presented as arguments from sign. "We argue from sign," says Hill, "when from the fact that ice is forming we infer that the temperature is below freezing-point." This is a clear case of inference from effect to cause. "We argue from

sign," says another writer, "when on seeing smoke we conclude that there is a fire." This is another simple argument from effect to cause. So, also, the circumstances which Webster accumulated to establish a conspiracy in the White murder case were the known effects of an unknown cause. That they were the effects of a conspiracy and could have resulted from no other cause, it was Webster's object to prove. For the discovery of any other cause just as likely to produce the circumstances would have rendered them useless as "signs" of conspiracy. As a last example, take the prediction of fair weather from the redness of the evening sky. This inference, as we have seen, is based on an implied generalization. But the generalization itself is trustworthy only if there is an underlying cause — such a condition of the atmosphere, it may be, as to produce both the color of the sky and the fairness of the weather. In other words, this common prediction appears to be an argument from one effect to another effect of the same cause.

The objection is sometimes raised that a sign is neither the cause nor the effect of the thing signified. It is said that the fire alarm does not cause the fire, nor does the fire cause the alarm; the alarm is merely a "sign" of fire. It is true that the fire is not the cause of the alarm in the same sense that it is the cause of smoke. In the former case, the cause operates through the human mind; in the latter case, the operation is purely objective. This distinction need not be stressed for purposes of argument.

Those who object to the word "cause" in the fire alarm example demand an exactness inconsistent with the limits of human knowledge regarding the laws of causation. At best our use of the word "cause" must be rather loose; at best we can follow the endless chain of causation only far enough to serve the purposes of a given inference. For the purpose of our every-day reasoning (when there is no error as to fact) the fire *is* the cause of the alarm, and we need not

insist on taking every step from the fire to the cry of the small boy, to the order of the chief, to the pressing of the button, to the ringing of the bell. We need only remember that an observed effect may be due to other than the assumed cause, — there may be a false alarm, — and that liability of error increases with the number of links in the chain of causation. The readiest means of checking such error is not through such superficial explanations as those called “sign” and “association of ideas,” but rather through directing attention at once to the only ultimate explanation, and then through accumulating probabilities of the soundness of the argument by reinforcing it with other arguments.

EXERCISES FOR THE SEVENTH CHAPTER

1. What kind of argument is illustrated in the following quotation? In what respects is the method commendable? Precisely what tests of validity should be applied to show the weakness of the argument?

“An eminent judge was in the habit of jocosely propounding after dinner, a theory that the cause of the prevalence of Jacobinism was the practice of bearing three names. He quoted, on one side, Charles James Fox, Richard Brinsley Sheridan, John Horne Tooke, John Philpot Curran, Samuel Taylor Coleridge, Theobald Wolfe Tone. On the other there were William Pitt, John Scott, William Windham, Samuel Horsely, Henry Dundas, Edmund Burke. Moreover, the practice of giving children three names has been a growing practice, and Jacobinism has also been growing. The practice of giving children three names is more common in America than in England. In England, we still have a King and a House of Lords; but the Americans are Republicans. Burke and Theobald Wolfe Tone are both Irishmen; therefore, the being an Irishman is not the cause of Jacobinism. Horsely and Horne Tooke are both clergymen; therefore the being a clergyman is not the cause of Jacobinism. Fox and Windham were both educated at Oxford; therefore the being educated at Oxford is not the cause of Jacobinism. Pitt and Horne Tooke were both educated at Cambridge; therefore the being educated at Cambridge is not the cause of Jacobin-

ism. The cause is, therefore, the having of three names." — Macaulay.

2. Find in Appendix XIV or Appendix XV specimens of the kinds of argument: Generalization, Analogy, Causal Relation. Do you find any argument which does not depend for its force on both Generalization and Causal Relation?

3. Apply the tests of validity to the following arguments: —

a. Gold and iron are both very useful metals. If the supply of iron were doubled, with no increase of labor, the wealth of the world would be greatly increased. Hence, if the supply of gold should be similarly doubled, the world's wealth would be similarly increased.

b. On account of the lack of experienced players, it is evident that we cannot have a strong football team next fall.

c. Following the attack of President Roosevelt on large corporations in 1907 came a period of financial depression. Many banks failed and thousands of men were turned out of employment. The President is to be condemned for causing such a panic.

d. "Fifteen years ago a pair of nickel-plated steel skates cost \$15. To-day the same article can be obtained for \$5. The decline shows how protection cheapens prices."

e. Thus the editors of one college paper reprimand the faculty for hesitating to approve a trip of fifteen hundred miles for a single game of football: —

"Contrary to the expectations of the students, the matter of the Occidental football game for next fall has not been acted upon as yet. That such an important matter as this has not received attention so far from the Faculty is unfortunate. While it is generally believed that the Faculty will act favorably in regard to letting the game be scheduled, it is understood that some opposition has developed on the ground that such a long trip would keep the football men away from their classes too long a time.

"From every point of view, there seems no reason why the game should not be played. To state any of the arguments in favor of the offer is unnecessary. Every one knows what it would mean to football next fall, the greater interest it would mean to the game, the incentive it would prove to every football man to work to become one of the seventeen men to take the trip, the

advertising it would give to the college, and, perhaps most important, the drawing card it would be to bring new athletes to the college in the fall. These points and others are too well known to need pointing out and too evident to need proof."

This is a typical football argument. It attempts to prove the necessity of the proposed trip by showing that it would tend to perpetuate the thing the value of which is under dispute.

4. Apply the tests to the following argument. Would direct evidence be more convincing in this case?

"Let me ask your attention, in the first place, to those appearances, on the morning after the murder, which have a tendency to show that it was done in pursuance of a preconcerted plan of operation. What are they? A man was found murdered in his bed. No stranger had done the deed, no one unacquainted with the house had done it. It was apparent that somebody within had opened, and that somebody without had entered. There had obviously and certainly been concert and coöperation. The inmates of the house were not alarmed when the murder was perpetrated. The assassin had entered without any riot or any violence. He had found the way prepared before him. The house had been previously opened. The window was unbarred from within, and its fastening unscrewed. There was a lock on the door of the chamber in which Mr. White slept, but the key was gone. It had been taken away and secreted. The foot-steps of the murderer were visible, outdoors, tending toward the window. The plank by which he entered the window still remained. The road he pursued had been thus prepared for him. The victim was slain, and the murderer had escaped. Everything indicated that somebody within had coöperated with somebody without. Everything proclaimed that some of the inmates, or somebody having access to the house, had had a hand in the murder. On the face of the circumstances, it was apparent, therefore, that this was a premeditated, concerted murder; that there had been a conspiracy to commit it." — Webster, "*The Murder of Captain Joseph White*," *Webster's Great Speeches*, p. 200.

5. Criticize the argument in the following editorial: —

" 'If you want to pay twenty dollars a barrel for flour, vote for Wilson' — that is what a prosperous-looking, well-

dressed, and evidently perfectly sincere man was overheard saying to a little group of more or less serious thinkers in a country hotel in Connecticut. How fully he may have developed the argument the witness is unable to say; but from the hearty response visible in the faces of his auditors it was plain that any elaboration of the reasoning was unnecessary. Flour is in the neighborhood of ten dollars a barrel under Wilson, whereas, it was four or five under Taft and Roosevelt — and do we not all know that a word to the wise is sufficient? If, however, anything more were needed, the figures of the market furnish it in abundance. On Tuesday of last week 'Flour, Minn., pat.' was quoted at \$9.20, and \$5.50 on June 23, 1916. This is an advance of 67 per cent in four months, which percentage of increase, if continued, will bring the price to twenty dollars a barrel very soon after the inauguration of the next President. And if that President should be Woodrow Wilson, who can doubt that the price will go to that level, or even higher? If we want to continue to eat the white bread that we love, we must put in a Republican President, who will put prices down by the enactment of a good stiff old-fashioned tariff." — *The Nation*, November 2, 1916.

6. Name, and apply tests to, all the types of argument in the following letter to *The Nation*: —

"We protest against the idea that beer is the cure for the drink evil. Distilled liquors were not used to any extent for beverage purposes in England until about the time of Henry VIII, and yet we all know that England was cursed with drunkenness from ale and wine long ere this. Not only does beer cause drunkenness, it also leads to immoderate drinking. Take, for example, the fact that in Germany the extreme accessibility of beer has so fostered the taste for alcohol that Germany is no longer primarily a beer-drinking country, 49 per cent of her consumption being (according to Gabrielsson's well-known figures) distilled liquors. Says Professor Gustav von Bunge, 'Beer in Germany is worse than the whiskey pest, because more apt to lead to immoderate drinking.'

"As for the non-hygienic, disease-making quality of beer, we refer the reader to Professor Bollinger's researches. He found among other things, that in Munich, Germany, one out of every sixteen hospital patients died of beer drinkers' heart.

"We note in some of these articles that beer below $2\frac{1}{4}$ per cent becomes harmless. But Mr. Mjven, from whom the Brewers' Year Book draws this conclusion, says that he found this solution apparently harmless as far as digestion went, but adds that the point where alcohol becomes altogether harmless is a purely technical one and should in no way stay the hand of temperance workers. The amount is so small as to be practically negligible for ordinary beverage purposes.

"Moreover, Georgia tried from 1908 to 1916 a 'near' or light-beer experiment, but gave it up, because, according to Judge Broyles, of Atlanta, a light-beer law is unenforceable, as you cannot have a chemist with every barrel to see that the beer is light.

"As for assertions giving the impression that the case against moderate drinking is not proved we believe that Dr. Benedict at the Carnegie Nutrition Laboratory, Boston, has proved beyond cavil that 30 to 45 cubic centimetres of alcohol (about a wine-glass of whiskey) 'slow down' neuromuscular action.

"As for prohibition being nowhere successful, we refer our friends to the recent survey made by the State University at Kansas, showing that in 1913-14 the per capita consumption of Kansas was 86 per cent less than that of the country at large." — Letter to *The Nation*, July 6, 1916.

7. Classify the kinds of reasoning used by Poe in *The Gold Bug*, and apply the tests suggested in chapters vi and vii.
8. The instructor may read to the class the first part of a short story and let them decide, from *a priori* reasoning, how the story may end and how it may not end.

EIGHTH CHAPTER

REFUTING OPPOSING ARGUMENTS: FALLACIES

"Men give me some credit for genius. All the genius I have lies in this: When I have a subject in hand, I study it profoundly. Day and night it is before me. I explore it in all its bearings. My mind becomes pervaded with it. Then the effort which I make is what the people are pleased to call the fruits of genius. It is the fruit of labor and thought." — ALEXANDER HAMILTON.

REFUTATION

REFUTATION is argument which weakens or destroys the contentions of the other side. Mere contradiction is not refutation. Many attempts at destructive argument amount to something like this: "My opponent has defined shipping subsidies as grants of money to merchant ships for carrying the mails, but I think that these are not subsidies; he has tried to prove that such subsidies would soon put American shipping on a firm basis, but I deny it; finally, he has attempted to show that foreign carriers now charge exorbitant rates, whereas we all know that such is not the case." This is contradiction, not refutation. It is precisely what we have condemned as unsupported assertion.

Refutation is an essential part of argumentation. Though destructive in nature, it is scarcely less important than constructive proof. Indeed, there are times when a negative case cannot proceed without refutation. Even an affirmative case on a really debatable question cannot safely rely on constructive work. Those who are to be convinced of the truth of a proposition wish to know not only why the arguments in its favor are sound, but also why the opposing arguments are unsound. Otherwise, as frequently happens in debate, the contentions of both sides may seem convincing, and their relation to each other may be obscured.

The first arguments of students usually ignore the other side. They move so directly and easily to sweeping conclusions that the wonder grows how the question ever came to be discussed at all. Not until students are forced to hear the other side of the question under the conditions of actual debate do they approach effective and adequate refutation.

Broadly speaking, there are two ways by which we may overthrow an argument: we may question the truth of the alleged facts on which the argument is based, or the validity of the reasoning process. To object to the alleged facts or premises, on the score that they have not been proved true, is to prefer a charge of unsupported assertion and call for evidence. To object to the reasoning process, on the score that the conclusion does not follow logically from the premises, is to prefer a charge of fallacious inference. Objections to unsupported assertion we have already considered; objections to fallacious inference we shall now consider.

FALLACIES

A fallacy is an error in the reasoning process. It is an unwarranted transition from one proposition to another, quite independent of the truth or falsity of the individual propositions.¹ The fault lies not in the premises or in the conclusion,

¹ Sidgwick says, "a fallacy is used to mean: (1) a piece of false reasoning in the narrower sense; either an invalid immediate inference, or an invalid syllogism; a supposed equivalent form which is not equivalent, or a syllogism that breaks one of the rules. (2) A piece of false reasoning in the wider sense; whereby from true facts a false conclusion is inferred. (3) A false belief, whether due to correct reasoning from untrue premises (reasons or sources) or to incorrect reasoning from true ones. (4) Any mental confusion whatever." No doubt the term fallacy is thus loosely used, but we shall apply it only to the first and second of these classes.

Nearly all logicians and rhetoricians deal with a class of fallacies which they call *Non Sequitur* or Fallacy of the Consequent. *Non Sequitur* (meaning "it does not follow") is a name applied to any inference in which the conclusion does not follow from the premises. The term Fallacy of the Consequent is usually employed in the same sense. Evidently we might include, under either of these terms, the whole range of reasoning processes which fail to satisfy the tests of argument given in the preceding chapter. The

but in the illogical inference from one to the other. The premises may be true and the conclusion may be true, and yet embody a fallacy. The inference that because a conclusion is true the premises must be true is itself a fallacy. It is equally wrong to infer that because a conclusion is false the reasoning must be false. To be sure, the apparent falsity of a conclusion often leads us to question the validity of the inference, but the presence or absence of fallacy proves nothing regarding the truth or falsity of a conclusion. When we have proved that the premises are correct and that the reasoning process is sound, then and only then can we be sure of the truth of the conclusion. Fallacies are concerned only with the reasoning process.

To classify the fallacies so as to embrace all the possible errors of the mind in distinct groups is impossible, for indistinctness and incompleteness are the very nature of fallacies. No one can do more than imagine what takes place in the mind of a faulty reasoner. A fallacy which consists in ambiguous phrasing may fall under one or another group, according as we regard one or another of the meanings of the words; and a fallacy which omits an essential link from the chain of reasoning will become one kind of fallacy or another, according as we supply one possible link or another. Fortunately, for the practical purposes of argumentation, no scientific or exhaustive classification of fallacies is necessary. The classification here presented is not complete; and the divisions here treated are not mutually exclusive.

There is no infallible system by which to test the validity of all possible arguments. Even the science of logic can do no more than guide the gradual development of the power of discriminating between better and worse reasoning, and in this respect argumentation is less pretentious than logic. The

fallacies which we shall consider under I and II are all cases of *Non Sequitur*. This term and the other Latin names of the traditional logic (for such fallacies as seem worth considering here) will be given only in footnotes.

most that we can gain from a study of fallacies is progressive ability in detecting, avoiding, and exposing unsound inferences. Evidently, this is not a study to be crammed and forgotten, but rather a study to be pursued and utilized in all the concerns of life.

DEFINITION A SAFEGUARD AGAINST FALLACIES

The first step in argument is the interpretation of the proposition in order to resolve it into its essential parts; and a first step in any such interpretation must be the definition of terms. Many fallacies are due to inadequate definition of terms, for the most dangerous source of verbal confusion and consequent dispute is our failure to set forth our meaning with perfect clearness, and the more subtle the misinterpretation, the greater the danger. The study of argumentation is sure to reveal innumerable chances for confusion due to the lack of satisfactory definitions. We can seldom proceed far in any argument, no matter how simple it may seem to be, without feeling the necessity for this preliminary work of exposition. Without the protection of painstaking definitions, no point in an argument is proof against the insidious fallacies of ambiguity. When the two sides in a controversy use the same terms with different meanings or different terms with the same meaning; when colleagues are not agreed and consistent in the use of terms; when any man employs a term in one sense and later shifts to another sense, the result is a confusion which may carry in its train whole troops of fallacies. Clear and convincing definitions are fundamental requisites of sound argument.

I. FALLACIES OF THE ARGUMENT FROM EXAMPLE

The principal errors of inductive reasoning are in the use of the two kinds of argument from example. These fallacies are known as (A) Hasty Generalization and (B) False Analogy.

A. HASTY GENERALIZATION

(A) An unwarranted or hasty generalization is one that fails to satisfy the tests already considered. Accordingly we may expose a fallacy in generalization by proving —

- (1) That the relative size of the unobserved part of the class is so large as to discredit the generalization.
- (2) That the members observed are not fair examples of the class.
- (3) That there are exceptions to the general rule or statement.
- (4) That it is highly improbable that such a general rule or statement is true.

B. FALSE ANALOGY

(B) A false analogy can be exposed by proving that the points of likeness which are relied upon for the analogy are outweighed by the points of difference which are ignored.

II. FALLACIES OF MISTAKEN CAUSAL RELATION

All errors in reasoning are due to lack of a causal relation. This relation is either stated or implied: either (1) it is said to exist, or (2) it must exist if the inference is valid. But errors in reasoning run all the way from bald assertions of the type "economic rivalry caused the war" to the loosest generalizations and analogies, where the causal relation is not even hinted or dimly perceived. In attempting to divide such a confusion of errors into groups, we can draw no hard and fast lines. The best we can do is to consider as Fallacies of Causal Relation those errors in reasoning which can be most readily exposed by directing attention to the alleged causal connection.

In the *Amateur Emigrant* Stevenson tells how his companions in the second cabin fell into the common error of mistaking the cause. The following quotation from that

book illustrates the way in which a haphazard reasoner, when pressed to show causal relations which do not exist, falls back on an analogy which is unconvincing for the very reason that causal relations do not exist:—

They did not perceive relations, but leaped to a so-called cause, and thought the problem settled. Thus the cause of everything in England was the form of government, and the cure for all evils was, by consequence, a revolution. It is surprising how many of them said this, and that none should have had a definite thought in his head as he said it. Some hated the church because they disagreed with it; some hated Lord Beaconsfield because of war and taxes; all hated the masters, possibly with reason. But these feelings were not at the root of the matter; the true reasonings of their souls ran thus — “I have not got on. I should have got on. If there had been a revolution, I would have got on.” “How?” They had no idea. “Why?” “Because — because — well, look at America.”

Fallacies of Causal Relation may be divided into two classes: (A) Mistaking the Cause; (B) Mistaking the Effect.

A. MISTAKING THE CAUSE

In the search for the cause of a known effect (the argument from effect to cause) men are prone to hit upon —

- (1) That which is merely another effect of the cause.
- (2) That which is associated with the effect, so far as can be determined, only by chance.
- (3) That which operates after the effect has been observed.
- (4) That which is associated causally with the effect, but is insufficient to produce the effect.

Each of these four cases involves a fallacy due to mistaken or overrated causal relation in attempts to determine the unknown causes of observed effects.

(1) To hold one effect responsible for another effect of the same cause is a common error. Thus the advocates of an increase in the amount of money in circulation have held repeatedly that much money is the cause of wealth, because when there is much money in circulation there is much

wealth. It is in reality the prosperous condition of business throughout a country which produces the wealth and demands the increase in the medium of exchange. Both are effects of one cause.

(2) Another large class of fallacies in the argument from causal connection is due to mistaking for a cause something which is associated with the result, so far as we know, only by chance. To this class belongs a large body of natural prejudices, — the whole tribe of errors in which the inference is merely implied, and the conclusion accepted without proof or attempt at proof. Thus, on hearing of the death of a neighbor, somebody exclaims, "What else could you expect? A mirror was broken in that house less than a year ago."

"Pretty soon," said Huckleberry Finn, "a spider went crawling up my shoulder, and I flipped it off and it lit in the candle; and before I could budge, it was all shriveled up. I did n't need anybody to tell me that that was an awful bad sign and would fetch me some bad luck, so I was scared and most shook the clothes off of me."

It is an amazing weakness of the human mind that people who appear to be mentally sound repeat such superstitions until they actually believe in them. The impossibility of making any valid inference seems only to strengthen the idea that there is some mysterious causal connection. Such superstitions are discredited not so much by the fact that no causal relationship has ever been discovered as by the high improbability that any causal relationship exists.

Superstitions like these are held on the vague assumption that a causal connection exists, with no attempt at argument. Sometimes, however, the attempt is made to establish a causal connection in a particular case, by holding that an antecedent of an effect is for that reason the cause.¹ Most patent medicine advertisements are based on this fallacy.

¹ This fallacy is sometimes called *post hoc, ergo propter hoc*, meaning "after a fact, therefore because of it."

The man whose picture appears was sick; he took three bottles of our cure-all; now he is well; therefore the cure-all was the cause of the recovery. In like manner it is held that after the Republican party came into power, wheat exports greatly increased; therefore to the Republican party is due the credit. In both cases the inference is fallaciously drawn that what follows must be caused by what precedes.

When two events thus occur in succession, the question is how far the connection is universal and necessary, as when pulling a fish out of a pond results in the death of the fish; and how far the connection may be accidental, as when "getting out of the wrong side of the bed" is followed by an unhappy day. When we jump from a single case of sequence, which we cannot distinguish from a mere coincidence, to the assertion of a causal connection, we commit the crudest form of this fallacy. When we have observed many such sequences, we may be justified in supposing a causal relation to exist, especially if the sequences have happened under various circumstances. But our supposition should be regarded as an incentive to search for proof rather than as a substitute for proof. Even constant sequence is no proof of causal connection; otherwise we might safely assert that day is the cause of night and life the cause of death. If the connection is not necessary, an argument which merely asserts that what follows must be caused by what precedes is fallacious whether it is based on one instance or on many.

(3) Another fallacy in the argument from cause to effect consists in ascribing a given effect to a cause which did not operate until after the effect had been observed. When O'Connell, in the House of Lords, in 1833, held that the Union with Ireland should be repealed because of its disastrous effects on Ireland, Macaulay declared, in refutation, that those effects existed before the alleged cause: —

Ireland has undoubtedly just causes of complaint. We heard those causes recapitulated last night by the honorable and learned

member, who tells us that he represents not Dublin alone, but Ireland, and that he stands between his country and civil war. I do not deny that most of the grievances which he recounted exist, that they are serious, and that they ought to be remedied as far as it is in the power of legislation to remedy them. What I do deny is that they were caused by the Union, and that the Repeal of the Union would remove them. I listened attentively while the honorable and learned gentleman went through that long and melancholy list: and I am confident that he did not mention a single evil which was not a subject of bitter complaint, while Ireland had a domestic parliament. Is it fair, is it reasonable in the honorable gentleman to impute to the Union evils which, as he knows better than any other man in the house, existed long before the Union? *Post hoc: ergo propter hoc* is not always sound reasoning. But *ante hoc: ergo, non propter hoc* is unanswerable. The old rustic who told Sir Thomas More that Tenterden steeple was the cause of Goodwin Sands reasoned much better than the honorable and learned gentleman. For it was not till after Tenterden steeple was built that the frightful wrecks on the Goodwin Sands were heard of. But the honorable and learned gentleman would make Goodwin Sands the cause of Tenterden steeple. Some of the Irish grievances which he ascribes to the Union are not only older than the Union, but are not peculiarly Irish. They are common to England, Scotland, and Ireland; and it was in order to get rid of them that we, for the common benefit of England, Ireland, and Scotland, passed the Reform Bill of last year.

(4) Another error in the argument from effect to cause consists in regarding a real but inadequate cause as sufficient to produce the known effect. This may be called the Fallacy of Insufficient Cause. This fallacy differs from the forms just considered, in that the imputed cause and the known effect in this fallacy really have a causal relation. The error in reasoning is the assumption that a force which is sufficient in composition with other forces is sufficient when operating alone.

In reviewing the campaign of organized labor against Congressman Littlefield, some of the newspapers reasoned thus: "Organized labor opposed the reëlection of Mr. Littlefield. In the election following this opposition, Mr. Littlefield's majority was reduced from 5000 of the previous election to 1000.

Therefore organized labor did it." In this bald form, the fallacy is precisely what we dealt with under (2); for the inference is made that since the loss of votes followed the opposition by organized labor, therefore organized labor was the cause of the loss of votes.

But several newspapers went further and showed that some men who voted for Mr. Littlefield in the previous election were influenced not to do so again partly by the campaign of organized labor. The inference based on this evidence, that organized labor caused the majority to fall from 5000 to 1000, is a fallacy in the argument from effect to cause of the class we are now considering. The argument attributes solely to the labor campaign a result which it was able to achieve only in coöperation with other forces. For in the same state election, the Republican candidates not opposed by organized labor suffered equal losses; Mr. Littlefield's majority fell off no more in the centers of organized labor than in other towns; and, finally, as both parties agreed, the dominant issue in the campaign and chief cause of the general Republican slump was not labor but liquor. The argument was therefore fallacious, because the alleged cause, although really operating and tending to produce the effect, was by itself insufficient to do so.

The accompanying panel from the United States Bureau of Education Exhibit at the Panama-Pacific Exposition involves the Fallacy of Insufficient Cause. This argument is fallacious because it assumes that the days spent in school are the sole cause of the greater earning capacity of high-school graduates. As a matter of fact, the causes which kept them in high school — ambition, perseverance, intelligence, health, money, etc. — would have guaranteed higher than ordinary wages to most of these students even if they had *not* attended high school.

EVERY DAY SPENT IN SCHOOL PAYS THE CHILD NINE DOLLARS

\$9.⁰² (\$ \$ \$ \$ \$ \$ \$ \$ \$ \$) \$9.⁰²

HERE IS THE PROOF

Uneducated laborers earn on the
average \$500 per year for forty yrs,
a total of \$20,000.

High school graduates earn on the
average \$1000 per year for forty yrs,
a total of \$40,000.

This education required 12 years of
schooling of 180 days each, a total of
2160 days in school.

If 2160 days at school add \$20,000. to
the income for life, then each day at
school adds \$9.⁰²

\$9.⁰² (\$ \$ \$ \$ \$ \$ \$ \$ \$ \$) \$9.⁰²

THE CHILD THAT STAYS OUT OF SCHOOL
TO EARN LESS THAN \$9.⁰⁰ A DAY IS
LOSING MONEY, NOT MAKING MONEY

\$9.⁰² (\$ \$ \$ \$ \$ \$ \$ \$ \$ \$) \$9.⁰²

REFUTATION OF FALLACIES IN MISTAKING THE CAUSE

Any fallacy in the argument from effect to cause (i.e. the attempt to determine the cause of a known effect) can be exposed by either or both of two ways: first, by proving that another cause produced the effect; second, by proving that the alleged cause could not have produced the effect. Under one or both of these heads must fall the refutation of any of the four fallacies just considered.

The first method finds an illustration in the history of astrology. For centuries men believed that somehow, though nobody knew just how, most of the calamities on earth were due to the movements of the heavenly bodies. It would take months to track down all the astrological references in the works of Chaucer alone. The failures of the supposed laws to operate in many cases were regarded as mysterious rather than significant. The facts most emphasized were the coincidences which seemed to justify the arguments from causal relation. Only the more definite notions of the real causes of human misfortunes, furnished by scientific investigations, succeeded in routing the superstitions of astrology.

The second means of refutation — i.e. proving that the alleged cause could not have produced the effect — can be accomplished either by proving that the alleged cause was insufficient to produce the effect, or that the operation of the alleged cause was prevented by other forces. Usually, however, an argument which attempts to determine the cause of a given effect cannot be refuted by establishing such unqualified statements. To show what a given cause could *not* produce is difficult, often impossible. How can any one determine with certainty that a given motive could not have incited a man to murder? To offset the reasons presented by the prosecution to show that the prisoner would be likely to commit murder, the defense may present equally good reasons why he would be unlikely to do so. Or, the defense may

bring forward another man who has even greater reasons for committing the crime in question, or, finally, the defense may show that, although the prisoner had sufficient motive, he had not sufficient opportunity.

Usually the best one can do in refutation is, first, to present another cause which might have produced the effect; second, to establish a doubt as to the possibility of the imputed cause producing the known effect.

Both these methods of refutation are employed in the following editorial from *The Nation* : —

From the position taken by Mr. Hughes we feel bound to express very positive dissent. We mean the constant intimation that the reaction in business immediately before the war was solely the result of "Democratic policies" (notably the lower tariff) and that only the outbreak of war saved us from something worse. We are aware of the extent to which this theory permeated the brain of the business community at the time; but we can hardly conceive a more narrow and purblind view of an economic situation.

Unquestionably, our industrial and financial markets were disordered and depressed during the whole of 1914. But if "the Democratic tariff" did it all, then how came it that conditions in Europe were even worse, though exactly similar in kind? The answer is not difficult, and it is not the answer which is suggested by the stump-speech economics of the day. In 1912, there was visible in this country practically every familiar sign of that great revival in trade which invariably follows the five or six years of after-panic retrenchment and readjustment.

Our exports broke all records; so did our bank exchanges, our production of iron, our railway earnings. Experience had indicated that this might be 1898 or 1879 over again, under similar conditions. Then, in the autumn of 1912, the Balkan War broke out. To-day we can better understand why that event was to political and financial Europe the handwriting on the wall. From that day forward, even the industrial communities of the world never abandoned the policy of reserve, caution, and preparation for the coming crisis. Such a process meant curtailment of activity, abatement of visible prosperity, in every market of the world — not least in those of the United States, concerning which we are nowadays seemingly asked to believe that but for the "Tariff of 1913," enacted a full year later,

all would have continued to go well. Serious economic history is not based on such foolishness.¹

B. MISTAKING THE EFFECT

In attempting to predict the result of a given force (argument from cause to effect) men are prone to make errors similar to those we have just considered. To this group of fallacies belongs the common superstition that to speak of exceptional good fortune is to invite disaster. A person who boasts that he has not had a cold this winter "raps on wood" to avert evil spirits. This absurd idea that there is some inscrutable relation between the mention of a thing and its appearance has led to the perpetuation of the list of euphemisms which the Romans substituted for all plain words concerning death. In the newspapers, men do not die; they "pass away," or "enter the great beyond," or "depart this life." The superstitions, noted above as leading to various fallacies of "effect-to-cause" reasoning, also work the other way. A person who fears that death will come to his family within a year because a mirror has been broken in his house credits a fallacious "cause-to-effect" reasoning. People who believe that misfortune lurks in the number thirteen, that seeing the new moon over the right shoulder or that sitting with the grain of the card-table will bring good luck, seem hopelessly beyond the reach of reason.

The error of ascribing an observed effect to a cause which may have been prevented from operating is similar to the error of holding that certain results must follow a given cause when the operation of the cause may be checkmated. The latter inference is more liable to error; it is easier to find the cause of an observed effect than to predict an effect from a known cause. If money has disappeared from the till, we are satisfied that theft has been committed; and we can eliminate possible causes, one by one, until suspicion points to

¹ *The Nation*, August 24, 1916.

the probable thief. This suspicion directs the search for corroborating evidence. But even though we may be sure that a certain clerk has a strong motive for stealing money, we are not sure that he will do so. Other factors, such as honor, or fear of punishment, or lack of opportunity, may be more powerful than his desire for the money.

The causes which warrant us in predicting any effect are usually so complex that we are liable to err by resting our argument on a cause or causes which prove to be inadequate. To affirm that the passage of a given shipping subsidy bill, providing grants of money to shipowners, will restore the prestige of the American merchant marine, seems to be an error of this kind. A study of the success of other nations in building up their foreign shipping reveals numerous causes: the lower wages of shipbuilders and sailors, the lack of a variety of attractive employments, the American protective tariff, in addition to the subsidies granted by these nations. To hold that subsidies alone will enable the United States to wrest the traffic from the present carriers is to predict a success which has never followed from the unaided operation of that cause.

A man who enters business with the idea that the influence of his family connections is sure to bring him rapid promotion may find that such influence, powerful as it may be, is insufficient to bring about the desired result without the aid of application and ability. Equally disappointing has been the career of many a man who has begun the practice of law with the idea that a keen mind is a guarantee of brilliant success. We may observe on every hand evidence of the fact that forces do not always achieve the result toward which they tend. The failures are due to the counteracting influences of other forces, or to the lack of necessary supplementary forces, or to both.

III. FALLACIES OF IGNORING THE QUESTION

Fallacies of ignoring the question,¹ or arguing beside the point, consist in evading, through ignorance or intent, the real point at issue. The error is due sometimes to failure to analyze the question, and sometimes to the deliberate attempt of a man with a weak case to withdraw attention from the real question. The universal tendency of the human mind to wander from the point makes the fallacy of Ignoring the Question both common and dangerous.

To reason in any of the following ways is to ignore the question: —

- (1) To infer from the character, professions, or conduct of an individual the truth or falsity of a general proposition.
- (2) To reach a conclusion through appeal to tradition, prejudice, passion, or sense of humor.
- (3) To shift ground.
- (4) To proceed to a conclusion other than the one at issue.
- (5) To overlook a part of the question through the fallacy of division.

(1) When we infer from the character, professions, or conduct of an individual the truth or falsity of a general proposition not relating solely to that individual, we argue beside the point.² Sometimes we do this when, in seeking to discredit a principle advocated by a person whose own conduct violates that principle, we reply, "You are a pretty one to talk about that." We evade the issue by drawing attention from the merits of the principle to the personal merits of the one who advocates it. There is no necessary connection, however, between the character of a person and the worth of his advice, although there is an obvious connection between the character of a person and the effect of

¹ Called *ignoratio elenchi*.

² This is sometimes called the fallacy of *argumentum ad hominem*.

his advice. Temperance is a virtue though advocated by a drunkard, but a drunkard contributes more to the cause of temperance by example than by precept.

Sometimes we argue beside the point in attempting to defend a person, or party, or institution, by praising traits which have nothing to do with the charges. Macaulay thus ridicules this type of ignoring the question: —

The advocates of Charles, like the advocates of other malefactors against whom overwhelming evidence is produced, generally decline all controversy about the facts, and content themselves with calling testimony to character. He had so many private virtues! And had James the Second no private virtues? Was Oliver Cromwell, his bitterest enemies themselves being judges, destitute of private virtues? And what, after all, are the virtues ascribed to Charles? A religious zeal, not more sincere than that of his son, and fully as weak and narrow-minded, and a few of the ordinary household decencies which half the tombstones in England claim for those who lie beneath them. A good father! A good husband! Ample apologies indeed for fifteen years of persecution, tyranny, and falsehood!

(2) Another form of ignoring the question consists in appeals to tradition, prejudice, passion or sense of humor, rather than to reason.¹ Many of the newspaper attacks on simplified spelling illustrate this fallacy. Examples are common in political campaigns, for this is the favorite trick of the demagogue. It is effective wherever the ignorance or lethargy of the people addressed prevents them from discriminating between the true and the false, the relevant and the irrelevant. It is as contemptible as it is common.

In the course of a debate between Bishop Wilberforce and Huxley, in which Huxley defended the doctrine of evolution, the Bishop said: "I should like to ask Professor Huxley as to his belief in being descended from an ape. Is it on his

¹ This is sometimes called the fallacy of *argumentum ad populum*. To take advantage of the ignorance of an audience, by proceeding to an irrelevant conclusion which they cannot recognize as such, is sometimes called the fallacy of *argumentum ad ignorantiam*. As the two are likely to go hand in hand, the distinction is of little use for practical purposes.

grandfather's or his grandmother's side that the ape ancestry comes in?" Then, in a graver tone, he asserted that the views of Huxley were contrary to the revelations of Scripture. In the course of his refutation Huxley said: "I asserted — and I repeat — that a man has no reason to be ashamed of having an ape for his grandfather. If there were any ancestor whom I should feel shame in recalling, it would rather be a man who plunges into scientific questions with which he has no real acquaintance, only to obscure them by an aimless rhetoric, and to distract the attention of his hearers from the real point at issue by eloquent digressions and skilled appeals to religious prejudice."

An appeal to veneration for authority, custom, or tradition instead of to reason is one form of the fallacy of ignoring the question. It is the pernicious argument that "what has been, should be," and "what has not been, cannot be." All generalizations which deny the possibility of any phenomenon relating to man, merely because it has never been observed in the past, are errors in inductive reasoning, based on veneration for authority.

This fallacy is implied in Pope's couplet: —

"Be not the first by whom the new is tried,
Nor yet the last to lay the old aside."

If every one followed this precept, all hope of progress would be gone.

Although this kind of argument cannot establish truth, yet its great influence must be reckoned with. To counteract the veneration for authority is the work of persuasion rather than of conviction, for people who insist that "what has been, should be" are not readily reached by reason.

The absurdity of any such argument can be shown by applying it to other questions. This method of refutation is illustrated by the following reply of William Ellery Channing to Henry Clay on the slavery question: ¹ —

¹ William Ellery Channing, *Works*, vol. v, p. 48. (G. G. Channing, Boston, 1846.) The method is further illustrated on pp. 236-38.

But this property, we are told, is not to be questioned on account of its long duration. "Two hundred years of legislation have sanctioned and *sanctified* negro slaves as property." Nothing but respect for the speaker could repress criticism on this unhappy phraseology. We will trust it escaped him without thought. But to confine ourselves to the argument from duration; how obvious the reply! Is injustice changed into justice by the practice of ages? Is my victim made a righteous prey because I have bowed him to the earth till he cannot rise? For more than two hundred years heretics were burned, and not by mobs, not by lynch law, but by the decrees of the councils, at the instigation of theologians, and with the sanction of the laws and religions of nations; and was this a reason for keeping up the fires, that they had burned two hundred years?

We are always in danger of assuming that things are so simply because we have always believed them to be so. We sometimes conclude that what is true of our ideas of things must be true of the things themselves. We attempt to make facts conform to our preconceived notions instead of making our notions conform to the facts. Every great discovery in astronomy has overthrown such false ideas. Columbus, in trying to convince people that the earth was round, had to address people who mistook the limitations of their own faculties for limitations of the universe. In everyday life people offer their ignorance of phenomena as sufficient proof of their non-existence.

A speaker, indignant at the evidence offered by an opponent, exclaimed, "Why, I never heard of such a thing in all my life."

"Mr. Speaker," came the reply, "I cannot allow the gentleman's ignorance, however vast, to offset my knowledge, however small."

A hundred years ago men held that it was impossible to hear the voice of a man a hundred miles away. They reasoned only from experience. And their mistake is made to-day whenever men commit themselves to the folly of a universal negation, as when, arguing from their own narrow experience, they assert that there is no God. Let us remember,

then, that because things always have been so and so does not prove that they always must be or should be the same; and because we have never known things to be so and so is insufficient reason for concluding that they never have been so, much less that they never can be so.¹

(3) Still another form of ignoring the question is known as shifting ground. Whenever a man starts to prove one proposition and, when cornered, slips over to another proposition, he commits the fallacy of shifting ground. He "argues beside the point" which he set out to prove. Some of the confusions due to lack of definition of terms are fallacies of this type. When a person starts to prove a proposition which employs a term in one meaning and arrives at a conclusion which employs the term in another meaning, he has shifted ground. The man who maintained that there could be no such thing as a civil war, because all war is uncivil, used the word "civil" in two senses. In a debate on the question whether the United States should further restrict immigration, a speaker said, "The argument in favor of more stringent laws, based on the contention that many of our criminals come from foreign countries, is not well founded, for our present immigration laws exclude criminals." The term *criminals* is here used in two senses. In the argument which the speaker attempts to refute the term means immigrants who are criminals or who become criminals; in his reply the term means immigrants who are *known* to be criminals. He shifts ground. This fallacy usually lurks concealed under redundant phrases and fine figures of speech. The demagogue talks at length to show that in this great, free country every man should regard every other with a feeling of brotherly love, should not ignore the rights of less fortunate fellow citizens, in a word, should be democratic; that, therefore, every man should vote the Demo-

¹ For Jeremy Bentham's famous imaginary speech, involving many varieties of this fallacy, see Appendix VIII.

cratic ticket. It would be the same kind of fallacy to assert in reply that since this country is a republic, every man should vote the Republican ticket.

(4) Confusing the issue, or arguing on a question other than the one under dispute, is ignoring the question. To prove that a given policy would increase the enrollment of a college when the question at issue is whether that policy would raise the standard of scholarship, or to laud the virtues of temperance when the debate concerns the efficacy of prohibition in promoting temperance, is to ignore the question. Owen Wister accuses Judge Pennypacker of arguing beside the point in attempting to prove that Pennsylvania politicians are honest. “‘Pennsylvania has no ills,’ declared the judge, and proved it by naming the institutions founded by Franklin, and recalling how brilliantly General Meade had won the battle of Gettysburg.” In formal debate, the question is ignored when, for instance, instead of proving that the United States should take part in the partition of China, a speaker proves merely that China should be partitioned.

To attempt to prove a proposition by arguing that the opposite cannot be proved is to ignore the question. Proof that an opponent cannot establish his case is sound refutation, but it is nothing more. It is not constructive. To assert that a given treatment cured a disease because nobody can prove that it did not cure the disease is to evade the issue. The fallacy consists in holding that the lack of proof that a proposition is false proves that the proposition is true.

(5) The last form of the fallacy of ignoring the question that we shall consider — the fallacy of division, or the fallacy of the dilemma — consists in dividing a concept into two parts which do not cover all possibilities, and overlooking the others. It ignores part of the proposition.

An example of this fallacy occurred in a discussion on the question whether the Federal Government should coöperate

with cities and towns for the permanent improvement of the public highways. The affirmative considered only two possibilities, — either roads constructed by cities and towns with Federal aid, or roads constructed by cities and towns without aid. But the negative defended a third possibility, namely, roads constructed by States with Federal aid.

The danger of the dilemma is shown in the following argument against the policy of obliging instructors in theological seminaries to sign an established creed: —

In condemnation of the practice of thus tying instruction to a creed we cannot . . . be too severe. Here is the dilemma. Either the professor will teach something different from what he would otherwise teach, because he has signed the creed, or he will teach the same as he would teach if he had not signed it. If he teaches something different from what he would teach if he had not signed the creed, then he is guilty of a crime against the truth. . . . If he teaches the same as he would teach if he had not signed the creed, then the act of signing is simply a solemn farce, unworthy of the intelligence of grown-up men.

This argument attempts to force upon the advocates of a compulsory creed the choice between two possibilities with inevitable consequences, so that, whichever of the two is chosen, the result is absurdity. The two alternatives are called the horns of the dilemma. The trouble with this particular argument is that it overlooks a third alternative — the professor might resign — which is no doubt one aim of the practice that is here condemned.

The soundness of a dilemma depends on two conditions: it must present and it must destroy all the alternatives. The great danger in the use of the dilemma is this fallacy of division. A person may refuse to accept either of the alternatives offered, and establish himself safely in a third position which the dilemma has overlooked.

In a debate on the proposition, "Japan should be the dominant power in the East for the next century," one speaker made out a strong case in favor of Japan as opposed

to Russia, and was surprised to find that his opponents admitted all he said and contended that there should be no one dominant power. He had overlooked a third course.

One should not be confused by a specious argument in the form of a dilemma suddenly thrust upon him. He may suspect that there is a fallacy of division, but, being unable to find the weak spot at once, have nothing to offer in refutation but uselessly general charges. He should, therefore, become familiar with the common sources of error in the use of the dilemma, and cultivate the faculty of promptly reducing an elaborate argument to simpler form.

IV. FALLACIES OF BEGGING THE QUESTION

The Fallacy of Begging the Question¹ consists in assuming without proof the truth or the falsity of a point which is at issue, or its equivalent.

To reason in any of the following ways is to Beg the Question:—

- (1) To argue in a circle.
- (2) To assume a more general truth which involves the point at issue.
- (3) To assume a particular truth which the proposition involves.
- (4) To employ “question-begging” words.
- (5) To assume a point at issue in defining the terms.

(1) A common form of this fallacy is Arguing in a Circle.² To argue in a circle is to assume the truth of a premise, from this premise to deduce a conclusion, and then to use the conclusion so reached in an attempt to prove the premise with which we started. Thus, a woman, on seeing a very small porringer, said to a child, “That must have been the little wee bear’s porringer, it is so small,” and then added, “He must have been smaller than we thought, must n’t he?”

¹ Also called *petitio principii*.

² Called *circulus in probando*.

To assume that the bear is small in order to prove that the porringer is his, and then, from the fact that such a small porringer is his, to infer that he must be small, is to beg the question by arguing in a circle.

Another example of this fallacy is the following: "Assuming that Goldsmith was kind and impractical, we see that he has put many of his own qualities into the character of the Vicar of Wakefield. And as the Vicar was certainly a kind, though impractical man, we see that these were really the leading qualities of Goldsmith."

Such an argument proceeds like a man lost in the woods, who, after much inconsequent rambling, arrives at the point from which he set out.

This fallacy of arguing in a circle is thus refuted by Felix Adler: —

There is an argument in favor of child-labor so un-American and so inhuman that I am almost ashamed to quote it, and yet it has been used, and I fear it is secretly in the minds of some who would not openly stand for it. A manufacturer standing near the furnace of a glasshouse and pointing to a procession of young Slav boys who were carrying the glass on trays, remarked, "Look at their faces, and you will see that it is idle to take them from the glasshouse in order to give them an education; they are what they are, and will always remain what they are." He meant that there are some human beings — and these Slavs of the number — who are mentally irredeemable, so fast asleep intellectually that they cannot be awakened; designed by nature, therefore, to be hewers of wood and drawers of water. This cruel and wicked thing was said of Slavs; it is the same thing which has been said from time immemorial by the slave-owners of their slaves. First they degrade human beings by denying them the opportunity to develop their better nature: no schools, no teaching, no freedom, no outlook; and then, as if in mockery, they point to the degraded condition of their victims as a reason why they should never be allowed to escape from it.¹

This is an argument in a circle if, as is assumed, the degraded

¹ *The Annals of the American Academy of Political and Social Science.* Felix Adler, in vol. xxv, No. 3, May, 1905.

condition of the workmen was due to their oppressive employment.

Another circular argument is refuted by Herbert Spencer. The last sentence in the quotation exposes tersely the weakness of the fallacy: —

Finding that the child is not willing to acquire facts that are distasteful to him, they are forced upon him, and by denying his mind the knowledge it craves, and cramming it with knowledge it cannot digest, we produce a morbid state of the faculties, and a consequent disgust for knowledge in general; and when, as a result, partly of the stolid indolence we have brought on, and partly of still continued unfitness for studies, the child can understand nothing without explanation, we infer that education must necessarily be carried on thus. Having by our method induced helplessness, we straightway make helplessness an excuse for our method.

These two examples of the fallacy of arguing in a circle and these two examples of the refutation of the fallacy are chosen because of their simplicity. By no means so obvious are the errors we commonly meet, for, as we have said, redundancy and confusion are the very nature of fallacies. To be keen in tracking down and clearly exposing such round-trip arguments, one must be aware of the danger and alert to discover the circle under any disguise.

(2) Sometimes the question is begged by assuming a more general truth which involves the point at issue.¹ Dr. Pond, for example, is said to have begun his introduction to the Book of Job with the statement that, although some skeptics have doubted whether Job was an historical character, the Bible settles that question for itself, for in the very first verse of the first chapter, it says: "There *was* a man in the land of Uz whose name was Job." In the implied assumption that every word of the Bible is literally true, Dr. Pond assumes a truth so broad as to involve the matter which "some skeptics have doubted."

¹ Called *assumptio non probata*.

(3) Sometimes the question is begged by assuming particular truths which the proposition involves.

In one of Fielding's novels a debate occurs on the question "Can any honor exist independent of religion?" Each disputant tries to frame the definition so as to shut out the other side: —

"Square answered that it was impossible to discourse philosophically concerning words till their meaning was first established; that there were scarce any two words of a more vague and uncertain signification than the two he had mentioned; for there were almost as many different opinions concerning honor as concerning religion. 'But,' says he, 'if by *honor* you mean the true, natural beauty of virtue, I will maintain it may exist independent of any religion whatever.'

"Thwackum replied, 'When I mention *religion*, I mean the Christian religion; and not only the Christian religion, but the Protestant religion; and not only the Protestant religion, but the Church of England. And when I mention *honor*, I mean that mode of divine grace which is not only consistent with and dependent upon that religion, but consistent with and dependent upon no other.' "¹

An effective way of exposing fallacies of begging the question is to state clearly the premises of your opponent's argument and demand proof for them. He must then either ignore the question, or, in attempting to prove the premises, expose his own fallacy.

In the simple forms of the syllogism, fallacies are obvious. But the most dangerous fallacies of everyday argument do not appear in such simple forms. They are indistinct and appear reasonable. This is particularly true of fallacies of begging the question, for they may hang together beautifully and yet have nothing to hang on. Their coherence is accepted in place of truth. Trusting in such argument because it looks reasonable is like relying on a fire-escape because it is made of strong rope, without asking what supports the rope. The following argument attempts to expose the faulty rea-

¹ Arranged from *Tom Jones* by Hammond Lamont. See *English Composition*, pp. 168, 169. (Charles Scribner's Sons, 1906.)

soning of an editorial which begs the question a part at a time:—

As proof that pupils cannot choose wisely, the opponents of the elective system employ amusing illustrations which prove nothing, but are accepted as substitutes for evidence and reason. A fair example is the following editorial from a Chicago paper:—

The average high school boy has hardly got beyond the period when he is puzzled to decide whether he will be a general, an admiral, or a circus clown. To throw open a course of study to the election of such immature minds would be as edifying a spectacle as to allow an infant to experiment with different colored candies, for the similitude could be extended to the ultimate effect on brains and bowels.

This kind of argument is constantly urged against the elective system. Yet the first sentence not only assumes that there is such a being as "the average high school boy," which, for the purpose at hand, not all of us are ready to admit, but it also begs the question as to the maturity of high school pupils. The second sentence, making no distinction between infancy and adolescence, employs a false analogy, and then begs the question again by assuming that the elective system offers the child much that is useless or really harmful, as the colored candies are assumed to be. The truth is, that if any curriculum embraces studies which are useless, or harmful, or prematurely offered, the fault is not with the elective system but with those who allow such studies any place in the programme.

(4) Sometimes a single word begs the question. In the following opening sentence of a student's theme, the question is twice begged: "Each student ought to be allowed to take the form of exercise *best suited* to his physical needs, instead of *wasting* his time on the dumb bell drill." In the introduction to an argument in favor of intercollegiate football, a writer asked, "Shall we begrudge the time for *sound* physical development? Shall we do away with this *manly* sport?" On one occasion, a speaker announced at the outset, "The question is whether we shall have a policy of preparedness which, *unlike the present policy*, is for the best interests of the United States." In a debate, a speaker said, "The immediate origin of the question is the *failure* of Congress to give

due recognition to the rights of the railroads." These sentences contain question-begging words.

(5) In pointing out the requisites of a clear and convincing definition, we gave instances of question-begging definitions. Others were given by the speaker who, in defending hazing, proceeded to define it as "*the harmless fun now enjoyed by all at —— College.*" In Lamont's *English Composition* are other good examples: —

If the question were, "Is the degraded condition of our American cities due to foreign immigration?" and "degraded conditions" were described as those which exist in the crowded foreign quarters of our large cities, the argument might as well end there; for the conditions in the foreign quarters are largely the result of foreign immigration. Should the question be, "Is rotation in office desirable?" and the definition of "rotation," "that change which is needed to bring fresh vigor and intelligence to the discharge of public duty," the question would not be debatable. It would be equally one-sided if the definition were "that frequent change which makes it impossible for a man to master his duties and work out an intelligent policy."

USE OF STATISTICS

Statistics are numerical statements of facts, placed in relation to each other. Frequently neither the facts nor their relations are what they appear to be. It is often remarked that no other type of lies is as bad as statistics. Yet, for the understanding of many public questions — dealing with such matters as taxation, immigration, child-labor, railroad rate regulation, epidemics, protection, foreign trade, education, wages, cost of living and insurance — statistics are indispensable. Therefore, we should know the common sources of fallacies and the most useful tests of statistical evidence. The following five tests,¹ we should apply in almost every case: —

¹ For other tests, see *An Elementary Manual of Statistics* (by Arthur L. Bowley, London, 1910), especially chap. viii.

1. Precisely what is meant by the units which make up the totals?

What is a soldier? A battleship? A farmer? A student? A resident? A criminal? A school building? A contagious disease? An illiterate person? An arrest for drunkenness? A paved street? A public park? A church member? Without an exact definition of such units, it is dangerous to make any use whatever of statistics concerning them. Often the real total is not what it appears to be, since it is reached by means of an unusual or even unique definition of the unit. All that we have said in the second chapter concerning the importance of defining the terms of the proposition applies as well to the units of all our statistical evidence. We must know exactly what is lumped together in the totals.

2. To what extent is the quantity measured by the statistics an index of the thing concerning which we want knowledge?

Suppose we wish to measure the efficiency of the public schools of Pennsylvania. Shall we use, as an index, cost per pupil, or average salaries of teachers, or valuation of school property per capita, or requirements for teachers' certificates, or proportion of illiteracy, or days of attendance per child of school age?¹ Or, shall we use all these indices and various others? If so, what is their relative importance? These are typical of the questions that must constantly arise in the use of statistics.

If we assume, without proof, that the numbers of battleships are true indices of the strength of navies, that the numbers of students at a football game are true indices of loyalty to their college, that the death-rates of cities are true indices of healthfulness, or that average incomes are indices of general welfare, we fall into the fallacy of begging the question. On the person who offers statistics falls the bur-

¹ A bulletin of the Russell Sage Foundation uses all these and other standards of comparison to measure the efficiency of the schools of the various States. Number 124. December, 1912.

den of proving that the assumed relationship does exist between the facts in his figures and the thing concerning which he draws conclusions.

3. Are the units compared really comparable?

Before we use numbers of paupers, or savings banks deposits, or crimes against persons in two States as indices, let us say, of the success of the prohibition of the liquor traffic, we must make sure that our indices have exactly the same meaning in the statistics of the States to be compared. Both collections of statistics might be entirely reliable, and yet entirely misleading when compared. As another example, suppose we seek guidance in making investments from a comparison of the profits of salmon-canning and fruit-growing. We must first determine whether the "profits" in the two industries are figured on the same basis. Again, if we are to argue soundly from a comparison of the conditions of child-labor under different laws, we must employ statistics that deal with "child-labor" in one meaning and only one. Otherwise, we fall into one form of the fallacy of ignoring the question.

Furthermore, caution must be used in comparing the statistics of different dates, lest we assume falsely that things which retain the same name retain the same essential properties. On the face of it, a dollar was a dollar in 1914 and in 1917; but, in connection with debatable questions involving wages, cost of production, foreign exchange and the like, the dollar of 1917 with its decreased purchasing power was a different thing from the dollar of 1914. Suppose we wish to know whether there has been an increase in the proportion of the population having feeble minds, or defective vision, or tuberculosis. Before we can answer such questions with statistics we must make sure that there have been no changes in the definitions of terms. Frequently statistics which appear to show alarming increases in disease and poverty and

crime show in reality changes in scope and methods of measurement which amount to changes in the meaning of the terms. We must be on guard against that form of ignoring the question which consists in assuming that things which do not change their names do not change their nature.

4. Do the figures cover a sufficient period of time?

Before we can safely draw general conclusions, we must be reasonably sure that the period covered by our statistics is not exceptional. If we wish to estimate the annual cost of electric lighting for a university, we must not regard the winter months as typical. Statistics of the death-rate of babies in August, of postal receipts for December 22, of the attendance at vaudeville shows on a Saturday night, of the receipts of a street railway on the Fourth of July and of the earnings of the Bethlehem Steel Company in war time are obviously exceptional. Statistics of the temperature of a city for one day, of the yield of a gold mine for one week, of the immigrant arrivals at New York for one month, and of the increase in the population of a State for one year may be typical or highly exceptional. Concerning such matters, safe conclusions can be drawn only from statistics covering longer periods of time. On the other hand, the birth-rate of a country for a few days taken at random, if accurate figures were available, would be a fair indication of the annual birth-rate, and the ratio of the expenses of a large insurance company to the premiums paid for any one month will be about the same for the rest of the year. The reliability of a conclusion based on the statistics of a brief period depends on the degree of probability of the constancy of the operating causes.

5. Is the average a typical measure of the group?

If Mr. Rockefeller were to step into one of the class-rooms of a college, let us say, the average wealth of the men in the room would be enormously increased. But the average would be misleading; it would serve no useful purpose what-

ever. Mathematically, an average is only the sum of a set of measures divided by their total number. It can be regarded as a typical measure of the set only when — as in the case of the ages of the members of an ordinary high school senior class — there is one typical measure and when the members of the group are symmetrically disposed about that measure. The average is a measure of general tendency but it conveys no idea of the various members of the group until we have a measure of their variability; in other words, how they are grouped about the average. Often the mode or the median are more serviceable measures of statistical tables than the average. The mode is the measure — the age, salary, height, cost, etc. — that occurs most frequently. The median is the measure above which one half of the cases stand. The mode is sometimes just as reliable and is not as misleading as the average. Neither the median nor the mode is as much influenced by extreme or erroneous cases within the group as is the average.

The average circulation of ten magazines, chosen at random, gives little idea of the circulation of any one of the magazines and is therefore more likely to be a misleading than a helpful measure. The same is true of the average income of college professors, the average number of residents per square mile in the State of New York, the average consumption of intoxicating liquors and the average taxes of the residents of a city. On the other hand, the average height of the selected group forming a given regiment of men, the average cost of living of the members of a carpenters' union, the average cost of production of Ford automobiles and the average age of graduation from American colleges are useful measures, because we know, in these cases, that nearly all the individuals are grouped symmetrically about the average and that the total variation is not great.¹

¹ For a discussion of the uses of the mode, median and average, see *Mental and Social Measurements*, by E. L. Thorndike. (The Science Press, New York, 1904.)

EXERCISES FOR THE EIGHTH CHAPTER

1. What fallacies, if any, are involved in the following quotations?
 - a. "The bill before the House is well calculated to elevate the character of education in this country, for the general standard of instruction in all our schools will be raised by it."
 - b. "There must be sufficient reason for belief in luck, omens, and dreams, for the universality of such belief shows that it must have some foundation." (From a book of ready-made briefs.)
 - c. "The Senior class is the brightest class in college; Jarvis Marden is the brightest boy in the Senior class; therefore he is the brightest boy in college."
 - d. "Suffolk is a Republican county; Robert Wild is a citizen of the county; therefore he is a Republican."
 - e. "The left-handed man lacks will power, for, if not, he would n't be left-handed."
 - f. "One hundred thousand children die annually for want of proper food. This statement must be true because it has been published and never refuted." (Class debate.)
 - g. There can be no doubt that the eye-bright is valuable as an eye-salve, because a black spot in the corolla of the flower resembles the pupil of an eye.
 - h. "Tables issued by the life insurance companies, showing the chances of life in your occupation, prove that the average age at death is fifty-two years. From this fact you can easily figure out your own chances." (Letter of insurance agent.)
 - i. "*Nicholas Nickleby* is a better story than *Oliver Twist*, for they were written at the same time, and Dickens was more interested in the former, as is shown by its greater strength." (Quoted in Perry's *Argumentation*.)
 - j. Section II, F, of the brief on athletics in the Third Chapter.
 - k. "Whenever I have a nose-bleed I press my upper lip, and in a few minutes the bleeding stops. This is a very effective remedy."
 - l. "This is the portrait of a 'man who overcame.' He was a clerk in a grocery store at six dollars per week. One day he saw an advertisement of the —— Correspondence School. He enrolled in our course in Civil Engineering, and

secured a position at forty dollars per week. What he has done, you can do." (Newspaper advertisement.)

m. As simplicity is always more effective than affectation, the best advice to the public speaker is this: Be natural.

n. "There is no need of doing the outside reading in this course. Two of the boys in my fraternity passed the course without doing the reading, and John told me yesterday that both he and his room-mate found that the reading was unnecessary."

o. "As Amherst defeated Brown in baseball, 8 to 4, and Brown defeated Columbia 6 to 3, there can be no doubt that Amherst will win the approaching game with Columbia."

p. This man will make an admirable teacher, for he is a profound scholar.

q. As the size of towns of New England varies directly with the size of the rivers on which they are built, it is clear that the size of the river is due to the size of the town.

r. No persons lacking in imagination are good public speakers, Some persons lacking in imagination are good logicians,
∴ Some good public speakers are not good logicians.

s. All vices are reprehensible,
Emulation is not a vice,
∴ Emulation is not reprehensible.

t. Some statesmen are wise,
Some Republicans are statesmen,
∴ Some Republicans are wise.

u. "Mr. Gladstone commits himself to the principle that 'all protection is morally bad.' If this has been his belief ever since he became an advocate of free trade, his conscience must have received many and severe wounds, as session after session, while Chancellor of the Exchequer, he carried through Parliament a bounty — may I not say a direct protection? — of £180,000 to a line of steamers running between England and the United States — a protection that began six years before free trade was proclaimed, and was continued nearly twenty years after." — *North American Review*, January, 1890; quoted by Hyslop, p. 395.

v. "Our correspondent should find solace in the thought that vaccination, while giving no protection, may leave in its trail consumption, scrofula, cancer, and other unexpected

things, which very things bring additional business for certain doctors. These vaccinators are not so prehistoric as they may appear." — *Life*, June 11, 1908.

w. The Federal Government should construct irrigation works in New Mexico, because the arid lands, when supplied with water, are the most fertile in the world. They contain an unusual proportion of those chemicals which furnish plant food.

x. An unapportioned direct tax is forbidden by the Constitution,

The income tax is an unapportioned direct tax,

. . . The income tax is forbidden by the Constitution.

2. Bring to class specimens of faulty reasoning which you have met recently in conversation or in reading.

3. What types of argument are used in the following quotation from Norman Angell's letter "To the American Student"? Is the argument sound?

"Can we ever hope that 'the general mind' will rise to effective knowledge fitting men for the control of their own social destiny? In these complex matters where the experts differ what hope is there that the mass will ever achieve sufficient capacity to enable social progress to equal the advances made in those material sciences which are in the hands of experts?

"Many would answer that question in the negative although a negative answer involves a paralysing pessimism which one is glad to think is no part of the American genius.

"And I do not think that a negative answer need be given.

"In the sixteenth century Montaigne, who did not believe in witchcraft and saw the evil that it brought, wrote to this effect: 'The day will never come when the common ruck of men will cease to believe in witchcraft. If lawyers and judges, men trained to sift evidence and learned in science, can be so far deceived as to send thousands of victims to their deaths for impossible crimes, how can we ever hope that the common man will avoid these errors?'

"Yet, ask a ten-year-old boy of our time whether he thinks it likely that an old woman would or could change herself into a cow or a goat, and he will almost always promptly reply: 'Certainly not.' (I have put this many times to the test of experiment.) What enables the unlearned boy to decide right where the learned judge decided wrong? You

say it is the 'instinct' of the boy. But the instinct of the seventeenth-century boy (like the learning of the seventeenth-century judge) taught him the exact reverse. Something has happened; what is it?

"We know, of course, that it is the unconscious application on the part of the boy, of the inductive method of reasoning (of which he has never heard, and could not define), and the general attitude of mind toward phenomena which comes of that habit. He forms by reasoning correctly (on the prompting of parents, nurses and teachers) about a few simple facts — which impress him by their visibility and tangibility — a working hypothesis of how things happen in the world, which, while not infallibly applied — while, indeed, often landing the boy into mistakes — is far more trustworthy as a rule than that formed by the learned judge reasoning incorrectly from an immense number of facts.

"Such is the simple basis of this very amazing miracle — the great fact which is at the bottom of the main difference between the modern and mediæval world, between the Western and Eastern civilizations."

NINTH CHAPTER

REFUTING OPPOSING ARGUMENTS: SPECIAL METHODS

“If any one can convince me of an error, I shall be very glad to change my opinion, for truth is my business, and nobody was ever yet hurt by it.”
— MARCUS AURELIUS.

I. SELECTION OF REFUTATION

THE principle of selection is quite as important in refutation as in constructive argument. To refute all that an opponent offers is rarely possible or desirable. “Too much is seldom enough.” One must distinguish between essentials and non-essentials. Some of the opposing arguments may be safely admitted and the field of the contest thus narrowed. Others, which have no bearing on the issues, may, for the most part, be ignored. It is poor policy to employ time and the patience of an audience in refuting anything which is not vital, no matter how easy and attractive an opening is offered. The very object of an opponent may be to attract attention from the main issues. If he wanders, drags in matters which are clearly beside the point, substitutes invective and ridicule for reason and evidence, the most effective course is to ignore the digressions and hew to the line of the argument. Attention to the insignificant words of an opponent may rescue them from oblivion.

If, however, there is danger that the audience may not perceive the digressions, one should point out clearly which of the opposing arguments are pertinent. Some of these are of minor importance, and are seen to have little effect on the audience. These should be briefly refuted, or even ignored, for the more points a writer or speaker advances, the less

emphasis he can place on each point. A debater cannot make a dozen matters all appear of supreme importance in a five-minute rebuttal speech. A lot of petty material causes confusion without destruction. A well-directed cannon-ball may sink a ship; a whole charge of birdshot will only scratch the paint. To the admitted, the extraneous, and the subordinate contentions of an opponent, little time should be spared. Nearly all the refutation should be directed against those central pillars on which the whole structure rests.

As a rule, it is poor policy to undertake to refute more than is necessary to prove the error of the opposing contentions. A chain is weak with one weak link. If one absolutely essential part of an argument is really destroyed, the whole argument falls. To attempt to destroy other parts is needlessly to incur additional danger of failure. When Lincoln desired to prove the falsity of testimony regarding events said to have been observed on a moonlight night, he simply produced an almanac which proved that there was no moonlight on the date in question. A person burdens himself unwisely who attempts to controvert a universal judgment (all A is B) by the opposite universal (all A is not B) when the opposite particular (some A is not B) is easier to prove and equally effective. To refute the statement that all strikes of coal-miners have attained their objects, one need prove merely that some strikes of coal-miners have not attained their objects. Thus, in the Harvard-Princeton debate on the proposition, "Congress should take measures to retire all the legal tender notes," Harvard overthrew the proposition to the satisfaction of the judges, not by proving the universal negative, — namely, that no legal tender notes should be retired by Congress, — but by proving a particular negative, that not all but only some should be retired. The general rule, then, is the same in refutation as in all other forms of discourse, — too much is seldom enough.

The fallacy of ignoring the question is common in attempts to overthrow the arguments of opponents. Logically, it is just as futile to disprove a thing which was not maintained as to prove a thing which was not denied. Whoever, in refutation, deliberately misrepresents his adversaries or mistakes the point to be answered is guilty of this fallacy.

Webster in his argument in the White murder case, exposed an opponent's fallacy of ignoring the question: —

The prisoner's counsel catch at supposed flaws of evidence, or bad character of witnesses, without meeting the case. Do they mean to deny conspiracy? Do they mean to deny that the two Crowninshields and the two Knapps were conspirators? Why do they rail against Palmer, while they do not disprove, and hardly dispute, the truth of any fact sworn to by him? Instead of this, it is made a mere matter of sentimentality that Palmer had been prevailed upon to betray his bosom companions and to violate the sanctity of friendship. Again I ask, Why do they not meet the case? If the fact is out, why not meet it? Do they mean to deny that Captain White is dead? One would almost have supposed even that, from some remarks that have been made. Do they mean to deny the conspiracy? Or, admitting a conspiracy, do they mean to deny only that Frank Knapp, the prisoner at the bar, was abetting in the murder, being present, and so deny that he was a principal? If the conspiracy is proved, it bears closely upon every subsequent subject of inquiry. Why do they not come to the fact? Here the defense is wholly indistinct. The counsel neither take the ground nor abandon it. They neither fly nor light. They hover. But they must come to a closer mode of contest. They must meet the facts and either deny or admit them.¹

II. POSITION OF REFUTATION

If a writer or speaker is advocating an extremely unpopular proposition, he may be unable to obtain a fair hearing for his constructive argument until he has answered the principal objections. In such a case, the refutation should

¹ *The Works of Daniel Webster*, vol. vi, p. 59. (Little, Brown & Co., Boston, 1857.)

come first. If, on the other hand, the constructive argument does not require this preliminary clearing of the ground, and if the refutation depends for its cogency on points to be established in the constructive part of the proof, the refutation should come last. The danger of this final position is that of leaving the opposing contentions uppermost in the minds of the readers or hearers. One who puts his refutation at the end, therefore, should make it unquestionably strong, and follow it with a vigorous and persuasive summing up of the constructive work. More generally useful than either the initial or the final position is the method of introducing the refutation wherever objections arise in connection with the constructive argument. No further directions can be of much help, for the most effective position depends on infinitely variable attendant circumstances.

III. PRESENTATION OF REFUTATION

In presenting refutation, one care is of paramount importance. A writer or speaker should first of all make absolutely clear just what argument he is refuting, and its bearing on the main issues of the proposition; then he should show precisely how his refutation clinches with the work of his opponent. In other words, he should show just what destructive work his evidence is intended to perform and how it performs that work. Without such care he may get little credit for much study of the other side of the question. Frequently a man thinks so long on a subject and himself knows so well what is the force of a given argument that he fails to give his audience those introductory, transitional, and summarizing sentences without which the whole meaning of his refutation may be lost. This counsel is worth repeating: —

In attacking an argument, one should make clear at the outset — except in rare cases — exactly what he purposes to refute; he should explain as he proceeds just how his refutation is accom-

plishing its purpose; and, finally, he should state precisely the effect of his destructive work and the consequent status of both sides of the controversy.

IV. SPECIAL METHODS OF REFUTATION

In our discussion of unsound reasoning we pointed out the most effective methods of exposing particular fallacies. We may now consider other special methods of refutation.

I. Reductio ad Absurdum. It is sometimes possible to show the absurdity of an argument by a process familiar to geometry. To prove that two perpendiculars cannot be drawn from a point to a given straight line, we may draw, from one point, two lines which we assume to be perpendicular to the given straight line, and then show to what absurd conclusions the assumption leads. In argumentation the process is the same. We assume — for the moment — that the proposition we wish to refute is true: we then draw from it logically an absurd conclusion. When a lawyer asserted in court that a corporation can make no oral contract because it has no tongue, the judge exposed the fallacy by saying, simply, "Then, according to your own argument, a corporation could not make a written contract because it has no hand." This method of refutation is called *Reductio ad Absurdum*. The trouble with any argument which can be thus destroyed is that, if it proves anything, it proves something which is manifestly absurd. It is commonly said to prove too much.

"There is no reason," contended a careless reasoner, "why you and I should not live to be a hundred years old. It takes a horse four years to get its growth, and it lives to be twenty. It takes a man twenty years to get his growth, and by the same ratio he ought to live to be a hundred. There are lots of things we can learn from analogy."

"I believe you are right," replied his neighbor, "for instance, there is the flea. It jumps thirteen hundred times its

own length. There is no reason, therefore, why a man six feet high should not be able to jump — let us see — seven thousand eight hundred feet, or a mile and a half, at one leap. Yes, we can learn a great many curious things from analogy."

Cicero points out that a certain contention proves too much: —

Nor, if Publius Crassus was both an orator and a lawyer, is the knowledge of the civil law for that reason included in the power of speaking. For if any man, who, while excelling in any art or science, has acquired another, shall hold that his additional knowledge is a part of that in which he previously excelled, we may, by such a mode of argument, pretend that to play well at tennis is a part of the knowledge of civil law, because Publius Mucius was skilled in both.

Macaulay employed this method in the following quotation: —

Many politicians of our time are in the habit of laying it down as a self-evident proposition, that no people ought to be free till they are fit to use their freedom. The maxim is worthy of the fool in the old story, who resolved not to go into the water until he had learned to swim. If men are to wait for liberty until they become wise and good in slavery, they may indeed wait forever.

Many people, in objection to simplified spelling, have said, "The spelling of Shakspere is good enough for me." The argument "proves too much," as Mark Twain points out in this passage: —

People say it is the spelling of Chaucer and Spenser and Shakspere and a lot of other people who did not know how to spell anyway, and it has been transmitted to us and we preserved it and wish to continue to preserve it because of its ancient and hallowed associations. If that argument is good, then it would be a good argument not to banish the flies and the cockroaches from hospitals because they have been there so long that the patients have got used to them and they feel a tenderness for them on account of the associations.

A little book of ready-made briefs for debate, under the question, "Is novel-reading commendable?" argues that the prevalence of such reading shows its need. Extending this argument, one could show, with equal reason, that stealing is commendable, since the prevalence of stealing shows its need. In the same book is the contention that "offices should be used as the spoils of political parties, for it has always been so in our nation." The ridiculous aspect of all such arguments can be readily exposed by the method of *Reductio ad Absurdum*.

2. Method of residues. By the method of residues, all possible conclusions regarding the point at issue are given, and all but one are destroyed. This kind of argument is included under refutation because, although constructive in purpose and effect, it is destructive in method.

Burke furnishes an admirably clear example of the method of residues.¹ Having shown that a fierce spirit of liberty has grown up in the colonies, he then asks, What shall we do with that spirit? And he replies: —

As far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit which prevails in your colonies, and disturbs your government. *These are — to change that spirit, as inconvenient, by removing the causes; to prosecute it as criminal; or to comply with it as necessary.* I would not be guilty of an imperfect enumeration; I can think of but these three. Another has indeed been started, — that of giving up the colonies; but it met so slight a reception that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the frowardness of peevish children, who, when they cannot get all they would have, are resolved to take nothing.

Burke then proceeds to show that the first and second of these plans are impracticable, and concludes with the following characteristic, logical summary: —

If, then, the removal of the causes of this spirit of American lib-

¹ Burke, *Speech on Conciliation*, paragraphs 47 to 64.

erty be for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable — or, if applicable, are in the highest degree inexpedient — what way yet remains? No way is open but the third and last — to comply with the American spirit as necessary; or, if you please, to submit to it as a necessary evil.

If one possibility is overlooked, a residues argument is worthless, for the question still remains: Which is the true conclusion of the matter, the one left standing in the residues argument or the one entirely overlooked? For example, suppose the contention is held that there are only three methods of dealing with the courses of study in public high schools: that they must be wholly prescribed; or partly prescribed and partly elective; or wholly elective; and, finally, that the first two methods are open to such serious objections that only the third is desirable. This argument seems to include all possibilities; but it is refuted if a fourth possibility, namely the "group system," is proved to be better than any one of the three.

Huxley, in his first lecture on Evolution, presented three hypotheses regarding the origin of the universe: —

So far as I know, there are only three hypotheses which ever have been entertained, or which well can be entertained, respecting the past history of Nature. I will, in the first place, state the hypotheses, and then I will consider what evidence bearing upon them is in our possession, and by what light of criticism that evidence is to be interpreted.

Upon the first hypothesis, the assumption is, that phenomena of Nature similar to those exhibited by the present world have always existed; in other words, that the universe has existed from all eternity in what may be broadly termed its present condition.

The second hypothesis is, that the present state of things has had only a limited duration; and that, at some period in the past, a condition of the world, essentially similar to that which we now know, came into existence, without any precedent condition from which it could have naturally proceeded. The assumption that successive states of Nature have arisen, each without any relation of natural causation to an antecedent state, is a mere modification of this second hypothesis.

The third hypothesis also assumes that the present state of things has had but a limited duration; but it supposes that this state has been evolved by a natural process from an antecedent state, and that from another, and so on; and, on this hypothesis, the attempt to assign any limit to the series of past changes is, usually, given up.

Huxley then destroyed the first two hypotheses, and left the third — since called the Theory of Evolution — standing alone. Following this indirect, destructive method of proof, Huxley offered direct, constructive proof of the probable soundness of the Theory of Evolution. Such positive proof should always be offered in corroboration of negative proof, for the method of residues is, at best, only an indirect argument. The chances of overlooking a possibility, or of failing completely to destroy those dealt with, are so great that the results of the indirect method should be reinforced by direct argument.

3. Exposing inconsistencies. The evidence adduced in support of one issue must be consistent with the evidence adduced in support of another issue. In one chapter of a book on Socialism, we find the author maintaining that municipal ownership of street railways would result in cheaper service for the public. In another chapter we find the author holding that municipal ownership would raise the standard of living of employees, because the employees of the government, such as mail-carriers and policemen, receive twice as much pay and work only half as long as car conductors of private companies. The two contentions are apparently contradictory.

Evidence must be consistent with other known facts of the case. Suppose a speaker presents, in support of his theory regarding the San Francisco earthquake, what he declares to be the opinion of Professor N. S. Shaler, of Harvard, regarding that earthquake. Such evidence is inconsistent with the known fact that Professor Shaler died before the San Francisco disaster.

Judge Douglas, in his debates with Lincoln, in 1859, maintained that the people of a Territory could lawfully exclude slavery from its limits, notwithstanding the Dred Scott Decision. Lincoln exposed the inconsistency of this position, in these words: —

The Dred Scott Decision expressly gives every citizen of the United States a right to carry his slaves into the United States Territories. And now there was some inconsistency in saying that the decision was right, and saying, too, that the people of the Territory could lawfully drive slavery out again. When all the trash, the words, the collateral matter, was cleared away from it, — all the chaff was fanned out of it, — it was a bare absurdity: no less than that a thing may be lawfully driven away from where it has a lawful right to be. Clear it of all the verbiage, and that is the naked truth of his proposition — that a thing may be lawfully driven from the place where it has a lawful right to stay.¹

In testing evidence to determine whether it is consistent with experience, we must at the same time ask how nearly complete is our known experience. The apparent consistency may be due merely to the paucity of experience. And in testing evidence to determine whether it contradicts known facts of the case, we must be sure that what we regard as facts are established as such by adequate proof.

In the following argument, Burke exposes an inconsistency in the arguments of those who supported the trade laws and the revenue laws: —

The more moderate among the opposers of parliamentary concession freely confess that they hope no good from taxation; but they apprehend the colonists have further views, and if this point were conceded, they would instantly attack the trade laws. . . .

I am, however, Sir, not a little surprised at this kind of discourse whenever I hear it; and I am the more surprised on account of the arguments which I constantly find in company with it, and which are often urged from the same mouths, and on the same day.

For instance, when we allege that it is against reason to tax a

¹ Lincoln's *Complete Works*, vol. 1, p. 551. (The Century Company.)

people under so many restraints in trade as the Americans, the Noble Lord in the Blue Ribbon shall tell you that the restraints on trade are futile and useless; of no advantage to us, and of no burthen to those on whom they are imposed; that the trade to America is not secured by the Acts of Navigation, but by the natural and irresistible advantage of a commercial preference.

Such is the merit of the trade laws in this posture of the debate. But when strong internal circumstances are urged against the taxes; when the scheme is dissected; when experience and the nature of things are brought to prove, and do prove, the utter impossibility of obtaining an effective revenue from the Colonies; when these things are pressed, or rather press themselves, so as to drive the advocates of Colony taxes to a clear admission of the futility of the scheme — then, Sir, the sleeping trade laws revive from their trance; and this useless taxation is to be kept sacred, not for its own sake, but as a counter-guard and security of the laws of trade.

Then, Sir, you keep up revenue laws which are mischievous, in order to preserve trade laws that are useless. Such is the wisdom of our plan in both its members. They are separately given up as of no value; and yet one is always to be defended for the sake of the other.

The following argument illustrates the method frequently adopted to refute the contentions in favor of Protection: —

The argument in favor of protection drawn from the dangers of free competition produces a great impression. But note what singular changes this argument has undergone, and to what contradictions it leads! Formerly it was maintained that the weak must be protected against the strong, the young countries against the old. Thompson, for instance, declared that protection aims to overcome the initial obstacles in the way of founding new and diversified industries. This was known as tutelary protection, designed to educate labor and capital in hitherto untried occupations, and in the United States was known as "protection to infant industries." But the United States has brilliantly accomplished its economic evolution in this respect, and now ranks among the greatest manufacturing nations of the earth. And now that the nation is strong industrially, and its "infant industries" have been fostered to maturity, has it torn down the protective barrier which sheltered them in their infancy? By no means! Mr. David A. Wells declares expressly that "there has never been an instance in the history of the

country where the representatives of such infant industries, who have enjoyed protection for a long series of years, have been willing to submit to a reduction of the tariff, or have proposed it. But on the contrary, their demands for still higher duties are insatiable and never intermitted." Americans continue the protectionist policy, and at the same time abandon the infant industry argument as unworthy of a great industrial nation. By an inverse argument they now declare that a nation that is advanced in civilization, that is wealthy and in the habit of paying high wages to its laborers, must be protected against nations possessing a retrograde civilization and paying low wages for labor.

Meanwhile, the nations of Europe declare that a high tariff barrier is indispensable to them precisely because they are old and require protection against the dangerous competition of new countries possessing the advantages of a cheap virgin soil and low wages.

Hence, free traders ask: What conclusion must be drawn from this varied application of the protectionist argument? To whom is protection really necessary? Do the weak need it against the strong, or the strong against the weak? Do new countries require it against old ones, or the old against the new? What are we to think of an argument that is made to serve equally well for the defense of two exactly opposite doctrines ?¹

4. Turning the tables. Said the presiding officer to an Irish witness, in the course of a murder trial, "Did you see the shot fired?"

"Oi did not, sir," responded the Celt, "but Oi heard it foired."

"That evidence is not satisfactory," replied the magistrate sternly; "you may step down."

The witness left the box. No sooner had he turned his back on the judge than he gave a derisive laugh. Enraged at this contempt of court, the magistrate called the Irishman back.

"How dare you laugh in that manner in court?" demanded the judge.

"Did you see me laugh, your honor?" asked the Irishman.

¹ Arranged from Gide's *Political Economy*, translation by C. W. A. Veditz, pp. 331-33. (D. C. Heath & Co., 1904.)

"No, but I distinctly heard you laugh," cried the irate judge.

"Such evidence is not satisfactory," rejoined the Celt, quietly, a twinkle in his eye.

Whereupon every one in court laughed, including the judge.

The witness had turned the tables. This method of taking over the argument of an opponent and showing that it tends to prove your own case, the negro Jim used in his famous argument with Huckleberry Finn on the question why Frenchmen speak French.

In the following editorial, the fallacy of an argument from effect to cause is shown by turning the tables — in this case by using the same method of reasoning to reach a conclusion favorable to the other side: —

From one equation with two unknown quantities, so the mathematical school-books tell us, it is impossible to infer the value of either. But what is impossible for the mathematician is perfectly easy for the politician or the newspaper man. And we are going to see an unusual amount of this kind of inference in the coming Presidential campaign, in so far as it relates to the question of prices or the cost of living. The *Philadelphia Inquirer* is one of the early comers in this field. The Democratic promise of reduction of the cost of living has not been fulfilled: food prices averaged at about top-notch in 1914, according to the official figures, and "every one is aware that no reduction took place during the twelve months which have just closed." Well and good; but how about the war? "In part," says the *Inquirer*, "this may possibly be explained by the war, which has led to an exceptionally large exportation of provisions to belligerent European countries, but there can be no reasonable doubt that had there been no war the movement would have been the same." Thus of the two elements, the war on the one hand and domestic factors on the other, the *Inquirer*, by some intuitive process over which mathematics and logic have no control, determines that one, namely, the war, was of too little consequence to need to be taken into account, and of course the rest is plain sailing. But if a Democratic inquirer should take a fancy to treat the subject of wages as this Republican *Inquirer* does that of prices,

what then? Wages have been rising all over the country, and probably much more than the cost of living has risen. "This may possibly be explained by the war," to be sure; but what is to prevent our Democratic friend from declaring that "there can be no reasonable doubt that had there been no war the movement would have been the same"?¹

Another instance of an unhappy illustration, turned effectively against the man who employed it, is quoted in Alden's *The Art of Debate*: —

In an American court a suit for damages was brought against a railroad company which had refused a ticket reading "From A to B" on the ground that the passenger was traveling from B to A. The attorney for the railroad argued that the passenger was really claiming a different service from that he had paid for. "He paid for passage from A to B," he said, "and yet demands passage from B to A. He might as well buy a barrel of potatoes at a grocery, and then sue the grocer on the ground that he did not deliver apples instead." When the attorney for the plaintiff had opportunity to reply, he said: "The illustration drawn from the barrel of apples and the barrel of potatoes seems to be an unfortunate one for my friend on the other side. The present case would be better illustrated by a grocer, who, having sold a customer a barrel of apples, should insist that he should begin at the top and eat down, whereas the customer had a preference for beginning at the bottom and eating up."

V. TWO ESSENTIALS OF REFUTATION

After all, although the study of these special methods should prove suggestive, there are but two fundamental requisites of effective refutation, — the power of keen thinking and a thorough knowledge of both sides of the question. Neither of these essentials is possessed by those who regard debating as the recitation of memorized speeches, consisting of strings of quotations from other men. Such parrot-like performances should not parade under the name of debating. They are not even preparation for debating. Indeed, it is an open question whether they do not hinder more than they

¹ *The Nation*, January 13, 1916.

help, and it is altogether true that they contribute nothing to the power of adapting refutation to the needs of the moment — the one power which fundamentally distinguishes the debater from the elocutionist. Any study which develops the faculty of independent and sound thinking prepares a man for the work of refutation; and when to this general training he adds an accurate and wide knowledge of the particular subject for argument, quite regardless of the material he may expect to need for a given speech, he possesses the two essentials of effective refutation.

EXERCISES FOR THE NINTH CHAPTER

1. What methods of refutation are used in the following arguments? Are the methods effective? What other methods could be used for the same ends?
 - a. "A jury having been empaneled to try him, he pleaded guilty, his counsel urging, as a reason for clemency, that the violation of this statute was a habit of the New York banks in the Wall Street district, and that if the wrecked bank had not followed this law-breaking custom of its competitors the stock brokers would have withdrawn their account. The plea was successful, and the officer escaped with a small fine. Imagine a burglar or a pickpocket urging a plea for clemency based on the general business habits and customs of his criminal confrères!"
 - b. "If the two legislatures are real and strong, they will necessarily disagree on some questions; then a single executive cannot represent both; if, on the other hand, the two legislatures are not real and strong, if one is a mere echo of the other, or both are slaves to the crown, then they better not exist at all." — Macaulay, on the plan for a separate Irish parliament.
 - c. "You charge that we stir up insurrections among your slaves. We deny it; and what is your proof? Harper's Ferry! John Brown!! John Brown was no Republican; and you have failed to implicate a single Republican in his Harper's Ferry enterprise. If any member of our party is guilty in that matter, you know it or you do not know it. If you do know it, you are inexcusable for not designat-

ing the man and proving the fact. If you do not know it, you are inexcusable for asserting it, and especially for persisting in the assertion after you have tried and failed to make the proof. You need not be told that persisting in a charge which one does not know to be true is simply malicious slander." — Lincoln, *Cooper Union Speech*.

d. "It is said that the Home for the Aged in this city should not be supported by the State Government, but left to private charity. But the home, as all writers agree, is the foundation of the State; and the object of many of our best laws is to preserve the sanctity of home life. If, then, the home is the basis on which the State rests, no one can deny that the State should do everything in its power, not only for the home in general, but for the Home for the Aged in particular." ¹

e. "If it is a crime to be a dissenter, it must be a crime by either common or statute law. The statute law making it a crime has been repealed. If it is a crime by common law, it must be so either by usage or by principle. But there is no usage which makes nonconformity a crime; and no principle that punishment ought to be inflicted for a mere opinion as to forms of worship." ¹

f. "One of the arguments in defense of capital punishment is that we should obey the Old Testament law of a life for a life. This, however, has in it the barbarous idea of vengeance, which has surely been outgrown in America. To play the part of a savage, to vent spite even on a murderer, is unworthy of a nation that is great and humane." ¹

g. "According to the modern theory, the college teacher will be dull unless he is doing some 'original research' outside of his teaching. If this theory is sound, law teaching is bound to be stale, because the law is a rather fixed and definite body of material, in which there is scarcely any room for original research. But law teaching is not stale. The enthusiasm and effectiveness of the law teachers at Harvard, Columbia and Chicago who do no original research, completely disproves the contention that vigorous teaching is inseparable from research." ¹

2. Write a short editorial in refutation of any one of the editorials in Appendix X.

¹ Examples provided by Homer Woodbridge, of Colorado College.

3. In connection with the discussion in Appendix XV, consider these questions:—
 - a. Are there any arguments of either writer to which no reply is here presented?
 - b. Is any of the refutation scattering? inadequate? fallacious? based on unwarranted assumption of fact?
 - c. Does the refutation occupy the initial position, or the final position, or is it presented wherever objections arise? Could the position be improved?
 - d. Does the writer make clear, in every instance, exactly what arguments he is attempting to refute?
4. Write an argument in refutation of the following quotation from the speech of Clyde H. Tavenner in the House of Representatives, December 15, 1915:—

“A few words as to the plan which has been submitted to raise the money with which to defray the proposed tremendous increases in appropriations for the Army and Navy.

“It is proposed to meet the cost of ‘preparedness’ by taxes on sugar, on gasoline, and by other direct taxes which bear heavily upon labor. It is also proposed to continue the present indirect taxes on the things people use, which yield \$620,000,000 a year. It is proposed to burden the worker and farmer by taxes on the things they consume, and spend the proceeds on armament, with colossal profits to the armament ring, for an Army and Navy to protect principally the things that privilege owns.

“First. Why tax labor when, according to the report of the Commission on Industrial Relations, from between one-third and one-fourth of the male workers 18 years of age and over in factories and mines earn less than \$10 per week, while from two-thirds to three-fourths earn less than \$15 per week; when 2 per cent of the people own 60 per cent of the wealth, and 65 per cent own only 5 per cent of the wealth.

“Why not compel 2 per cent of the people to pay 60 per cent of the taxes instead of making the great mass of the people, who own 5 per cent, pay 95 per cent of the taxes?

“Second. Why tax labor when war-munition stocks have increased in value in one year by \$866,000,000?

“Third. Why tax incomes in America but \$80,000,000, when incomes in Great Britain, even before the war, paid \$236,245,000? England contains less than one-half our population and wealth.

"All told, England taxed wealth, incomes, and inheritances to the extent of \$380,115,000, and collected 45 per cent of her total revenues from these sources. Democratic America collected 9 per cent of its revenues from wealth, incomes, and inheritances.

"Fourth. Why tax labor on its necessities, on the things it needs to merely live, when inheritances have not as yet been taxed a penny by the Federal Government?

"Fifth. Great Britain taxes incomes up to $33\frac{1}{3}$ per cent for war purposes; Germany levies taxes for imperial purposes, for state purposes, and for municipal purposes as well; the combined rate running often to 15 per cent or 20 per cent. Democratic America taxes incomes from 1 per cent to 7 per cent, the maximum up to \$100,000 being but 4 per cent.

"A tax of \$10 to the wage earner means giving up clothes, food from his table, possibly the doctor for his children. A tax of \$10,000 to a man with an income of \$100,000 or \$100,000 to a man enjoying an income of \$500,000 means no sacrifice whatever.

"Sixth. Why tax labor, when an additional tax of 1 per cent on the gross earnings of railroads, public-service corporations, mines, and other public utilities would yield \$50,000,000. It could be easily collected. It could not be escaped. In most instances it could not be passed on to the consumer.

"Seventh. Preparations for war should call for equal sacrifices. Defense should not mean sacrifice for the millions, and only profits for the few. Preparations for war mean profits to the railroads, to mine owners, munition factories, banks; it means speculative values for the stock brokers and speculators. It means that the bended backs of labor will carry the Army and the Navy, *which, if the emergency arises, will be used against labor at home and for the protection of over-seas investments abroad.*"

TENTH CHAPTER

DEVELOPING THE ARGUMENT FROM THE BRIEF: THE PRINCIPLES AND QUALITIES OF STYLE

“What Socrates used to say, that ‘all men are sufficiently eloquent in that which they understand,’ is plausible, but not true. It would be nearer the truth to say that no man can be eloquent on a subject that he does not understand; and that, if he understands a subject never so well, but is ignorant of how to form and polish his speech, he cannot express himself eloquently even about what he does understand.” — CICERO.

THE PRINCIPLES OF STYLE

THE development of the finished argument from the brief should proceed with due regard to rhetorical principles.¹ The principle of Unity counsels the exclusion of all matter which does not tend to explain or to prove the proposition; each division of the argument should stick to the point. The principle of Emphasis counsels that disposition of parts which will most nearly indicate their relative importance; the emphatic places should be held by ideas that deserve such distinction. The principle of Coherence counsels logical sequence of thought; the relation of the parts to one another should be unmistakable. Careful observance of these three principles helps to secure all the rhetorical qualities of effective argumentative discourse.

I. UNITY

One should hew to the line of his argument. The facts of history, no matter how important they may be in themselves; the statements of authority, no matter how intrinsically

¹ This study of Argumentation presupposes a study of Rhetoric and English Composition such as that covered by Barrett Wendell's *English Composition* (Charles Scribner's Sons, New York, 1891), or Hammond Lamont's book under the same title and by the same publishers (1907).

cally interesting; the tempting anecdotes, no matter how amusing; the personal remarks, no matter how just, — over these things, and all others, that seek a place in the argument, the principle of Unity stands guard. For admission all things must show, as credentials, sufficient evidence of their importance in explaining or in proving the proposition.

If the principle of Unity has guarded well the brief, — if every statement in the Introduction helps to explain the meaning of the proposition, and every statement in the Proof helps to establish the statement under which it stands, — the brief will serve to check the natural tendency of a writer to wander from the point. If a writer or speaker leaves his subject, he cannot blame his readers or hearers for leaving him. He should not forsake the highway of his argument to chase a butterfly, be it ever so alluring.

II. EMPHASIS

A traveler gazes across the unbroken level of the prairie; he sees nothing, and he retains only a feeling of weariness and monotony. The same effect is produced by an argument all the parts of which are presented on one dead level. If a writer does not perceive the parts which deserve distinction, he is not prepared to write; if he does not emphasize the parts which deserve distinction, he cannot be sure whether his readers will retain the essential or the relatively insignificant. He *can* be sure of this, — that they will *not* retain both. Neither readers nor hearers remember all the details of a long argument. Let them forget, if they must, the matters of secondary importance. The vital points they must not forget.

These vital points may be emphasized by skillful repetition. Again and again Douglas asserted “the right of the people of a State to settle the question of slavery for themselves,” and demanded “obedience to the decision of the highest tribunal in the land, the Supreme Court.” In the

same debates Lincoln reverted repeatedly to his main contention: "A house divided against itself cannot stand; this government cannot endure permanently half slave and half free." For purposes of refutation Lincoln reminded his audiences time and again that Douglas had said, "I do not care whether slavery is voted up or down." The main contentions of an argument should be expressed in phrases so clear, exact, and striking that they will bear frequent repetition.

On account of the peculiarities of spoken discourse, the speaker has special need of repetition. He must revert often to the crucial points, viewing them from new standpoints, — in the concrete and in the abstract, positively and negatively, first as applied to one subject and then as applied to another. Not half an ordinary audience will grasp his main contentions in the first phrasing. He must repeat them until they are clear to all.

While employing repetition for the sake of clearness to all, a speaker must introduce such variety that he will be wearisome to none. For the moment he employs this device to excess, he sacrifices the very object of his repetition. When students, on first acquiring some skill in analysis, become impressed with the importance of method, their faith is all too evident. They present their outlines too often in bald form, and, for want of other material, weaken their rebuttal speeches with repeated outlines until the audience wonders whether there is any real substance upon which to employ the admirable method. A college debating team, opposing the passage of a bill for shipping subsidies, phrased the central theme of their argument well when they declared, "Subsidies take money from the pockets of all the people in order to fill the pockets of the few." But excessive and unvaried repetition left the assertion at the end of the last rebuttal speech all empty and forspent, precisely where the argument needed greatest vigor.

Among the overworked methods of emphasis is the rhe-

torical question. This implies an answer favorable to the case of the speaker. It depends for its effect on the certainty that the auditors will answer the question according to the speaker's wishes. At the close of a speech a debater said, "Let me ask why foreign ship companies are now lobbying against the subsidy bill?" The speaker left his audience asking the same question, and also whether the implied fact was true, for he had yielded to the temptation of using the rhetorical question in place of evidence. Such a question is not proof; it may be used only to emphasize proof.

The following quotation illustrates the use of the rhetorical question in the persuasive appeal, following the proof: —

The Senator from Massachusetts tells us that the tariff is not an Eastern measure, and treats it as if the East had no interest in it. The Senator from Missouri insists it is not a Western measure, and that it has done no good to the West. The South comes in, and in the most earnest manner represents to you that this measure, which we are told "is of no value to the East or the West," is "utterly destructive of our interests." We represent to you that it has spread ruin and devastation through the land and prostrated our hopes in the dust. We solemnly declare that we believe the system to be wholly unconstitutional and a violation of the compact between the States and the Union; and our brethren turn a deaf ear to our complaints, and refuse to relieve us from a system "which not enriches them, but makes us poor indeed." Good God! Mr. President, has it come to this? Do gentlemen hold the feelings and wishes of their brethren at so cheap a rate that they refuse to gratify them at so small a price? Do gentlemen value so lightly the peace and harmony of the country that they will not yield a measure of this description to the affectionate entreaties and earnest remonstrances of their friends? Do gentlemen estimate the value of the Union at so low a price that they will not even make one effort to bind the States together with the cords of affection? And has it come to this? Is this the spirit in which this government is to be administered? If so, let me tell gentlemen the seeds of dissolution are already sown, and our children will reap the bitter fruit.¹

¹ From the speech of Hayne, delivered in the United States Senate, January 21, 1830.

As the man in the gallery throws the calcium light where he would direct attention, so the writer must employ all the illuminating devices of rhetoric to brighten the most important parts of his argument. He should first consider what points must be emphasized at any cost; he should then contrive to place these in the high lights. Meantime the less important details fall into the relatively obscure background. The high lights of a discourse are the beginning and the end. The beginning must get a fair start for the argument by enlisting the interest in the right direction; the middle part must drive the argument home; the end must clinch the point. Other means of emphasis are apt metaphors and similes, sudden turns of phrase, epigrams, climax, concrete terms, and terse sentences. But the first law of emphasis concerns position; the ideas which deserve distinction must fall in the most emphatic places.

III. COHERENCE

An argument without coherence is like a forest without a trail; a writer's duty is to blaze the trail. Nay, he should do more. He should take the reader by the hand, smooth the way, warn him when the path divides, point out each step. Language is at best but "a poor bull's-eye lantern wherewith to show off the vast cathedral of the universe." Imperative, then, that one who uses this poor lantern to illuminate thought should throw what light he has along the path ahead. Otherwise the reader, if led at all, will but stumble along, this way and that, over strange and uneven ground to an unknown end, like a blindfolded neophyte led to initiation.

No man gains coherence by chance: it demands care — painstaking and unremitting. In a good brief the causal connection between each statement and that which it is adduced to prove is clearly indicated by means of special indentation and arbitrary symbols. In a written forensic

these devices must give way to rhetorical aids. The logical sequence of thought must be made clear by means of connective words and transitional sentences.

The most common fault in the presentation of evidence is the failure to show precisely what part it plays in the whole argument. This failure is sometimes due to the fact that secondary matters are not properly subordinated to the main issues. Yet evidence can be of value only through causal connection with these main issues. If this connection is obscure, the evidence counts for nothing but confusion. If the bearing of the evidence is not felt at the time when it is presented, usually the bearing is not felt at all. The evidence then cumbers the argument as so much dead matter. In every art the merit of each detail is its subserviency to the whole design. If a piece of evidence is put forward as if for its own sake, with no definitely expressed relation to other parts, it breaks the chain of thought. The whole argument then lacks sequence, and proportion, and coördination. Again and again the writer of an argument must be a severe critic of his own work, lest he fail to make clear to others what may be perfectly clear to himself,—the exact work which a given piece of evidence is intended to perform in a given place.

Illuminating in this connection is a study of Burke's method. There are no arguments overlapped, no parts left hanging in the air, no gaps to jump, no halt in the forward movement. Any person who aspires to an argumentative style which shall cover the strength of a coherent brief with transparent rhetorical beauty will do well to study the method of Edmund Burke.

THE QUALITIES OF STYLE

Observance of these principles of Unity, Emphasis, and Coherence tends toward Clearness, Ease, and Force. Since, however, the aim of argumentation is winning favor and

affecting conduct, the paramount quality of style is Force. And Force is nothing more or less than effective conviction and persuasion. As aids, Clearness and Ease are invaluable; and to them we should add Brevity, Concreteness, and Illustration.

IV. CLEARNESS

On a really debatable question, clearness is never sufficient for the purposes of conviction and persuasion. What profits it a lawyer to make the jury understand exactly why he believes the prisoner at the bar should be acquitted, if at the end they render a verdict of guilty? Clearness is, nevertheless, a fundamental necessity. Without clearness, all other rhetorical aids to effectiveness are futile.

Simplicity of diction — an essential of clearness — is not only desirable, but is possible even in dealing with complex subjects. One of George Eliot's characters, Mr. Cleves, in the *Sad Fortunes of the Rev. Amos Barton*, had "the wonderful art of preaching sermons which the wheelwright and the blacksmith can understand; — not condescending twaddle, but because he can call a spade a spade, and knows how to disencumber ideas of their wordy frippery." By the use of plain language, Huxley in the realm of science and Mark Twain in narration and Phillips Brooks in theology and Charles William Eliot in education and Woodrow Wilson in politics made their meaning clear to the plain people.

Emerson says that "when any orator at the bar or in the Senate rises in his thought, he descends in his language, — that is, when he rises to any height of thought or of passion, he comes down to a language level with the ear of all his audience. It is the merit of John Brown and of Abraham Lincoln — one at Charlestown, one at Gettysburg — in the two best specimens of eloquence we have had in this country."

Lucidity of expression is even more important to the speaker than to the writer. If a speaker does not make his

meaning unmistakable at once, his meaning is lost, for his hearers cannot take time to go back and puzzle it out. For this reason a long, complicated sentence, which is safe enough in a magazine article, may be confusing from the platform, especially on the heels of another of the same kind. Short sentences are better. In his effort to make himself clear a speaker is under a further disadvantage, in that he has none of the visual aids of the printed page, such as punctuation, paragraph indentation, capitals, italics, and tables. He must use well the means at his command. In contending against the besetting foes of vagueness and obscurity, he must reckon with these peculiarities of spoken discourse.

V. EASE

The writer who first attempts to produce a graceful forensic from a rigid brief feels as though he were caught hard and fast in the embrace of the very skeleton which he has constructed. The resulting composition is often almost as formal and bleak as the brief itself. Statements and proof follow each other in the same order, with the same connectives and the same structure. The forensic is but the heads and sub-heads of the brief, with hackneyed phrases between. The brief becomes master instead of servant. But before the writer rebels, let him consider the advice of Phillips Brooks: "The true way to get rid of the boniness is not by leaving out the skeleton, but by clothing it with flesh."

Various means of attaining an agreeable style are considered in books on rhetoric under the head of ease, elegance, grace, beauty, or rhythm. For one who has pursued such a study, and now wishes to learn the particular art of transforming a brief into a work of literary merit, the best advice is this: First, study specimens of argumentation in which the framework is evident but not offensive. (See Appendix V.) Second, study the masters who have had the art to conceal the processes of art. Begin with specimens of Burke and

Hayne and Beecher and Macaulay and Webster and Calhoun. These can be easily briefed. Continue the study with masterpieces that present greater difficulty in briefing. Finally, rewrite an argument of your own without further reference to the brief.

To fall into hackneyed ways of introducing evidence and of proceeding from link to link of the argument is a natural tendency, especially in public speaking. Some of the worst offenders among the stock phrases are: "now"; "my next point is"; "now, gentlemen"; "now, therefore"; "let us now look"; "so, it seems to me"; "I shall now prove to you"; "I think, therefore." Even the greatest speakers need to be on guard against this tendency. A phrase which is at first fresh and unobjectionable may become so worn by frequent use as to be monotonous if not ludicrous.

There can be no doubt that a person is more likely to yield assent to the truth when it is presented in agreeable form, than when the challenge to his preconceived opinion is flaunted in his face in the shape of a bald argument. In the speech at Bristol, September 6, 1780, Burke said: —

A statute was fabricated in the year 1699, by which the saying mass (a church service in the Latin tongue, not exactly the same as our liturgy, but very near it, and containing no offense whatever against the laws or against good morals) was forged into a crime punishable with perpetual imprisonment. The teaching school, a useful and virtuous occupation, even the teaching in a private family, was in every Catholic subjected to the same unproportioned punishment. Your industry, and the bread of your children, was taxed for a pecuniary reward to stimulate avarice to do what nature refused, to inform and prosecute on this law. Every Roman Catholic was, under the same Act, to forfeit his estate to the nearest Protestant relation, until, through a profession of what he did not believe, he redeemed by his hypocrisy what the law had transferred to the kinsman as the recompense of his profligacy. . . .

Does any one who hears me approve this scheme of things, or think there is common justice, common sense, or common honesty in any part of it? If any does, let him say it, and I am ready to dis-

cuss the point with temper and candor. But instead of approving, I perceive a virtuous indignation beginning to rise in your minds on the mere cold stating of the statute.

It is by no means a mere cold stating of the statute, but a rhetorically forceful phrasing of the argument.

. VI. BREVITY

A lecturer on rhetoric in a Scotch university used to say to his class at the close of the year, "There are only two rules to follow: When you have anything to say, say it in as few words as you can; when you have said it, hold your tongue." Many other men have felt the force of brevity. "In early times," said Tacitus, "the people, rude and unpolished, might well be contented with the tedious lengths of unskillful speeches; and, indeed, to be able to harangue for a whole day together, was itself looked upon at that illiterate period as a talent worthy of admiration." We now regard such a talent as dangerous. To be able "to say nothing with elaboration" is no attribute of genius. For, although it is not quite true that a pure style results from the rejection of everything superfluous, it is true that a forceful style is impossible without compression.

Dean Swift said that he who makes two ears of corn grow where only one grew before deserves well of mankind. The contrary holds in writing and speaking. Our gratitude goes to the man who puts in one word what another puts in two. Captain Cuttle said that his power of putting his hands on a few words whenever he wanted them came from his not wasting them as some do. Landor said: "Phocion conquered with few soldiers, and he convinced with few words. I know not what better description I could give you either of a great captain or a great orator." "Even a man who has no gift for oratory, no enthusiasm, no fervor, no magnetism, as it is called, can make a presentable figure on the platform if he rises knowing exactly what he wants to say, if he says

that and no more, and if he sits down as soon as he has said it. But his failure will be total if he does not know what he wants to say, and if he talks forever in the vain hope of happening upon it by accident.”¹

Carlyle says of Dante: “There is a brevity, an abrupt precision in him: Tacitus is not briefer, more condensed; and then in Dante it seems a natural condensation, spontaneous to the man. One smiting word; and then there is silence. . . . His silence is more eloquent than words. It is strange with what a sharp decisive grace he snatches the true likeness of a matter; cuts into the matter as with a pen of fire.”²

Although it is never possible or desirable to take up at length every argument which may be pertinent, it is possible and highly effective to suggest arguments in a parenthetical way, provided that the mere suggestion will surely connote the desired thought. Thus Dean Briggs comments on the contention that a college is the better for being small: “Without inquiring whether these gentlemen would reject opportunities of growth for their own colleges, whether the system of admission by certificate is not chiefly a bid for students, and whether the very pleas for the small college are not designed to make it larger, I pass at once to the strongest argument of the small college — the argument that in it everybody knows everybody else.”³

The time limit in debate enforces invaluable practice in economy of words. To summarize and repeat until the meaning is clear to everybody, and yet to waste no words, is an art as difficult as it is important. The art is difficult because gross extravagance in the use of words is a universal fault, and because in trying to condense there is constant danger, especially in spoken discourse, of sacrificing clearness to

¹ Brander Matthews, *Notes on Speech-Making*, p. 35. This little book can be read in half an hour, and it is worth reading.

² Carlyle, *Heroes and Hero-Worship*.

³ Le Baron Russell Briggs, *Routine and Ideals*, p. 41. (Houghton Mifflin Company.)

brevity. The art is important because a well-prepared speaker usually has much more to say than he has time to say. His first draft of a ten-minute speech may take a half-hour for delivery. The amount that he can put effectively into a given number of minutes depends largely on his skill in condensing. One may weary an audience by quoting an authority at length, or, far better, he may ferret out the significant words and apply them directly to the point at issue; one may enlarge upon an illustration until it becomes wearisome, or give the point in a parenthetical phrase; one may pack a number of bits of correlated evidence under one introductory sentence, or waste an introduction on each. Methods of condensation are innumerable; the absolute necessity of giving the substance of an hour's speech in ten minutes is the mother of invention. And this necessity is one of the great educational values of formal debate. The time limit demands compression.

VII. CONCRETENESS

The concrete is much more effective than the abstract; the specific is much more effective than the general. A speaker might talk about the evils of intemperance in the abstract without effect on his hearers, yet move them to tears by one definite instance of a ruined life. Emotion is concerned with particulars rather than with generalities.

Mindful of our own precepts, suppose we now contrast the examples of the abstract and general in the first column with the examples of the concrete and specific in the second column.

The proportion of the students of a university who take part in football games is small.

If we thus treat those in poverty who steal luxuries from the wealthy, how shall we deal with

Of the four thousand students in the University of California in 1916, only thirty-five took active part in football games.

"If this shall be done to the poor man who steals the rich man's bird, what shall be done

the wealthy who steal the necessities of life from those in poverty?

The Government imposes salutary restraints on state sovereignties. There are various important activities which they are not allowed to carry on.

When the towns are unable to appropriate adequate funds for public highways, they desire the coöperation of the Federal Government.

“The burden of taxation does not fall according to assessed valuation, for city capitalists are not taxed on their chief wealth. Those engaged in agricultural pursuits, on the other hand, are taxed on the greater part of their property.” — Student forensic.

In the United States unskilled laborers receive higher wages than in any other country.

Many elective courses are offered in the large universities.

to the rich man who steals the poor man’s bread?” — Fox.

“The States cannot now make war; they cannot contract alliances; they cannot make each for itself separate regulations of commerce; they cannot lay imposts; they cannot coin money.” — Webster.

“When a Caribou farmer gets his potato wagon stuck in the mud to the hubs, he wants Uncle Sam to put his shoulder to the wheel and give him a lift.” — Student in class debate.

“You can buy in Portland or Augusta your thousand dollar bond and put it in a safe deposit vault and clip its coupons and pay no taxes on it; but the farmer out on these hills, if he buys a blooded cow to help the dairy interests of his neighborhood is taxed on it; he is taxed for everything in sight.” — Herbert M. Heath.

“While the native in Milan is laying cobble-stones for fifteen cents a day, the boy in Aroostook is picking up potatoes for two dollars a day.” — Student forensic.

“For one man to take all the courses offered by Harvard University would require one hundred and ten years.” — Student in class debate.

"In all the despotisms of the East it has been observed that the farther any part of the empire is removed from the capital the more do its inhabitants enjoy some sort of rights and privileges; the more ineffectual is the power of the monarch; and the more feeble and easily decayed is the organization of the government." — Lord Brougham.

In proportion as the manners, customs, and amusements of a nation are cruel and barbarous, the regulations of their penal code will be severe.

"In large bodies the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt and Arabia and Kurdistan as he governs Thrace; nor has he the same dominion in Crimea and Algiers which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can." — Burke.

In proportion as men delight in battles, bull-fights, and combats of gladiators, will they punish by hanging, burning, and the rack. — From Spencer's essay on *The Philosophy of Style*.

The gist of an argument packed into a single concrete epigram will make a quicker and more lasting impression than ten times the number of colorless words. This was the merit of Lincoln's reply in the most trying days of the Civil War to those who urged a change of commanders. He said that he considered it poor policy "to swap horses while crossing a stream." Judge Peters summed up the argument for the small college in one telling epigram, when he said, "At the large college, the student may go through more college, but at the small college, more college goes through him." From these examples of the superiority of the concrete, we turn naturally to the broader subject of Illustration.

VIII. ILLUSTRATION

From the nature of the concrete and the specific, illustrations derive their force. For the same reason illustrations drawn from every-day life are most effective. When Burke says, "Your ancestors did not churlishly *sit down* alone to the

feast of Magna Charta,” he uses a figure which any civilized person can understand. The same is true of his declaration, “The public would not have patience to see us *play the game out*,” and of the following: “It is nothing but a little sally of anger, *like the frowardness of peevish children*, who, when they cannot get all they would have, are resolved to take nothing”; — “I *put my foot in the tracks* of our forefathers, where I can neither *wander* nor *stumble*.” Still more varied in figurative language is the single paragraph of the *Speech on Conciliation* — the sixty-sixth — in which he emphasizes his point by means of abrupt stops, hyperbole, climax, metaphor, antithesis, balance, rhetorical questions, and repetition.

An illustration must be apt in every particular. It must suggest the desired conclusion and no other. Unless a person has sufficient imagination to see an illustration as others will see it, he may have it turned against him. In a recent campaign, a newspaper employed this unfortunate illustration: —

The trouble is that the ship of state has fallen into evil hands. She has an unruly, piratical crew in charge, who are recklessly steering her among the reefs and breakers of fraud, hypocrisy, and graft. Her hull is covered with barnacles that should be scraped off. She needs a thorough overhauling, with a new crew placed on board, who will take their orders from the people instead of from the cabal with headquarters in the state house.

The trouble with this illustration is that if the officers and crew of a ship took their orders from the passengers, the ship would certainly be in peril. The illustration leaves some readers to draw the conclusion that it would be equally unsafe for officers of state to take their orders from the people, which defeats the purpose of the argument. Emerson considered the orator to be necessarily, to a certain extent, a poet. “We are such imaginative creatures that nothing so works on the human mind, barbarous or civil, as a trope.

Condense some daily experience into a glowing symbol, and an audience is electrified. They feel as if they already possessed some new right and power over a fact which they can detach, and so completely master in thought. It is a wonderful aid to the memory, which carries away the image and never loses it. A popular assembly, like the House of Commons, or the French Chamber, or the American Congress, is commanded by these two powers, — first by a fact, then by skill of statement. Put the argument into a concrete shape, into an image, — some hard phrase, round and solid as a ball, which they can see and handle and carry home with them, — and the cause is half won.” Even in conviction imagination does important work, when it is harnessed to facts; for it directs the invention and discovery of arguments, and controls the selection of evidence, phrasing, and illustration. Without imagination — sometimes even with the most fertile imagination — a speaker has difficulty in foreseeing how the details of his work will affect a given audience under certain attendant circumstances.

A story introduced in argument for purposes of illustration is usually exceedingly effective or exceedingly flat. It is effective if it hits the point, directly and unmistakably, and if it is wholly subservient to its purpose. It is flat if it is vague or too long, and if it makes any pretensions at being the substance rather than the illumination of the argument.

All kinds of illustrations are merely aids to the effective presentation of arguments, not themselves of evidential force. A philosopher has been likened to a blind man in a dark cellar hunting for a black cat that is n’t there. This simile — apt, concrete, and amusing though it is — proves nothing with regard to the philosopher. Care must be taken not to use any kind of illustrations in place of proof.

EXERCISES FOR THE TENTH CHAPTER

1. Write out Lincoln's Gettysburg Speech, and underline every word that helps to indicate the logical sequence of thought.
2. Find in Burke's Speech ten transitional sentences and ten summarizing sentences other than those mentioned above.
3. Write out paragraph 14 of Burke's Speech, underlining the connectives.
4. Make note of effective uses of the concrete in the Lincoln-Douglas Debates (or in Appendix X).
5. Let the class consider various ways by which the formalism and rigidity might be removed from one of their own arguments, or from Appendix V.

ELEVENTH CHAPTER

AROUSING THE EMOTIONS: PERSUASION

"In the orator a wide range of knowledge is indispensable, for without knowledge mere fluency is empty and ridiculous, and the speech must be developed, not only by means of well-selected words, but by their harmonious arrangement. The orator must be acquainted with all the passions and emotions natural to mankind, for the resources and persuasive power of oratory are to be employed in either exciting or allaying the feelings of the auditors. To these qualities must be added a spice of sprightliness and wit, learning worthy of a well-bred man, quickness and conciseness both in retort and attack, with which are to be blended refined beauty of language and deliberate courtesy of manner." — CICERO.

CONVICTION AND PERSUASION

ANALYSIS, structure, reasoning, and evidence are agencies of conviction. Conviction addresses the understanding; it aims to establish belief on rational grounds. But so strong are the influences of inherited opinions, the pressure of the crowd, personal desires and feelings, that *action* is not often based on purely rational motives. "A man convinced against his will is of the same opinion still," and he acts accordingly. The volition must be secured through arousing the emotions. This is the work of persuasion.

A reasoning process as cold as a demonstration in Geometry, which utterly disregards the feelings, is pure conviction. But argument is commonly addressed to men and women with desires and emotions which conviction alone cannot use or overcome. Even men with trained minds find it difficult to act in accord with convictions when emotions pull the other way. They know that they should give no money indiscriminately to beggars; yet they oftener answer the appeal emotionally than rationally.

It is sometimes more important to get an emotion into a

man's heart than to get an idea into his head. It does the cause of negro education little good to convince a man of the worth of Tuskegee, unless his feelings are so moved that he will do something. So important is persuasion as an adjunct to conviction that examples of pure conviction are rare outside of textbooks in logic, mathematics, and other exact sciences.

Suppose you wish to win the coöperation of a smaller, rival college in forming an arbitration league. You may prove that such a league would accomplish its purposes, would be to the advantage of the smaller college, and would tend to decrease dishonorable practices in intercollegiate contests. This work in conviction might be perfect, and yet fail to attain its object; for you might treat the delegates of the smaller college with such an air of conscious superiority that they would be unwilling to enter an alliance with you even for their own good. If you implied that the league was needed especially to deal with dishonorable practices of the smaller college, you might convince and yet fail to gain action.

Suppose, on the contrary, you approach the delegates of the smaller college with courtesy and fairness. Suppose you acknowledge violation of rules on the part of your own college and show how the proposed league would punish such violation. Suppose you overlook your own victories. Suppose you refer to an influential graduate of that college who favors the league. With such persuasion you might accomplish your purpose.

If an opponent in debate presents an authority which is highly regarded by the audience, a direct attack on that authority is inadvisable. The better plan is to treat the authority with respect, while citing on the other side of the question an authority recognized by the audience as equally trustworthy. Or, without questioning the worth of the opposing authority, one may argue so effectively that the audience will themselves conclude that the man, in whom they believe, must be for once mistaken. The persuasive method is

to undermine cherished beliefs rather than to storm them; human nature will often yield unconsciously what it refuses on compulsion. The most successful advertising and salesmanship depend for their effect on indirect suggestion: the fundamental laws of argument are the same, whatever the medium employed.

Valuable as is persuasion in reaching the will, it can never do the work of conviction. When the mind yields to persuasion, belief may or may not be conformable to fact; it may or may not be rational. Bands at political rallies and subsidized applause of all kinds have a tendency to arouse the feelings to the point where sound argument is, for the moment, unnecessary. The less intelligent the audience, the greater the temptation to rely on persuasion. But belief based on irrational grounds is insecure. Recruits for the army gained in street-corner campaigns may lack staying qualities. People who act through the impulse of emotion may find that they have been deceived; there is no durable basis for their belief. Conviction is safer, because conviction depends on reason, and reason is based on logic, which is a science, — the same for all people at all times. For these reasons, conviction, which appeals to the reason, and persuasion, which appeals to the emotion, work together in nearly all successful argumentation and cannot be separated.

SOURCES OF PERSUASION

True eloquence, which is the harmonious blending of conviction and persuasion, must exist, according to Daniel Webster, *in the man, in the subject, and in the occasion.*

I. THE MAN

The attributes of the man himself which are most effective in Persuasion are Sincerity, Earnestness, Simplicity, Fairness, Self-Control, Sense of Humor, Sympathy, Openness of Mind, and Personal Magnetism.

1. Sincerity. So essential to effective public speaking is straightforward and uncompromising honesty that Renan declares: "Oratorical and literary success has never but one cause, absolute sincerity." This quality Carlyle would have us take as his primary definition of a Great Man: "No Mirabeau, Napoleon, Burns, Cromwell, no man adequate to do anything, but is first of all in right earnest about it; what I call a sincere man. I should say sincerity, a deep, great, genuine sincerity, is the first characteristic of all men in any way heroic. Not the sincerity that calls itself sincere; ah no, that is a very poor matter indeed; — a shallow, braggart, conscious sincerity; oftenest self-conceit mainly. The Great Man's sincerity is of the kind he cannot speak of, is not conscious of: nay, I suppose, he is conscious rather of insincerity; for what man can walk accurately by the law of truth for one day? No, the Great Man does not boast himself sincere, far from that; perhaps does not ask himself if he is so; I would say rather his sincerity does not depend on himself; he cannot help being sincere!"¹ Without sincerity a speaker may entertain his hearers. But that is all. The hired spellbinder wins applause, but not hearts.

2. Earnestness. The speaker must be dead in earnest. He must be lifted out of himself and beyond all that is petty and beside the point, by the depth of his conviction and the impulse of his emotion. There is an Indian legend that a bullet dipped in blood hits the mark. The speaker "should pray to be delivered from the ambition to be eloquent by an ambition to win a result; be careless of admiration and covetous of practical fruits." To impress an audience with his sincerity, the speaker must be sincere; to achieve the effects of earnestness, the speaker must be in earnest. Otherwise, the audience may declare with Emerson, "What you are speaks so loud, I cannot hear what you say." That is one trouble with the present systems of intercollegiate debating, under

¹ Carlyle, *Heroes and Hero-Worship*, "The Hero as Prophet."

which men, assigned to speak against their convictions, endeavor to convince others of that which they themselves regard as false. "Unreal," "academic" formal debating is due in part to traditional methods which ignore the fundamental requisites of persuasion.

3. **Simplicity.** Another source of persuasion in the speaker is simplicity, — in bearing, in manner, in tone, in language, in gestures; the absence, in short, of affectation. What is natural to a speaker is not always effective, but what is put on for the occasion is never effective. The most successful speaker concentrates the attention of the audience on what he says.

Simplicity requires directness. Rarely is there any good reason for beating around the bush. Excuses and apologies are sometimes prompted by conceit, often they are dishonest, usually of no interest to the audience, and altogether bad.

The bombastic style, once in favor, now seems ridiculous. Conversation, adapted to a large number of persons, is the best kind of public speaking; the speaker must seem to be talking to each person. The oratory of Wendell Phillips was precisely this, — conversation "raised to the highest power. It was as if he simply repeated, in a little louder tone, what he had just been saying to some familiar friend at his elbow. The colloquialism was never relaxed, but it was familiarity without loss of dignity." Curtis says of Wendell Phillips: "He faced his audience with a tranquil mien, and a beaming aspect that was never dimmed. He spoke, and in the measured cadence of his quiet voice there was intense feeling, but no declamation, no passionate appeal, no superficial or feigned emotion. It was simple colloquy, — a gentleman conversing." That pretty well sums up the whole question. If we have a high ideal for the gentleman, and a high ideal for conversation, we may say that the most persuasive public speaker is a gentleman conversing, — his conversation raised to the highest power.

4. Fairness. Fairness is itself persuasive. Do not attempt to conceal important facts which make against your position. Give your opponent all possible credit; concede all that you can honestly concede. Grant him everything but the one point which you *must* establish. Present his case with manifest fairness. Present it better than he can present it; and, if you can honestly do so, make it even more forcible against your own contentions. If you cannot state your opponent's case, you do not know it; if you do not know it, you cannot hope to refute it; and if you dare not state it, you acknowledge that you deserve defeat at the start. Give your opponent credit for good faith, and thus escape personalities. Save your time and your energy for attacking his arguments rather than himself.

When you quote, quote exactly, if possible. When this is not possible, say so. In reading a quotation, place the emphasis where the writer evidently intended to place it. Omit no qualifying phrases or clauses in order to help your case. In short, try to place yourself in the position of your adversaries; you will then have no temptation to make quotations which invite the charge of unfairness.

In a formal debate, it is persuasive to adhere strictly to all the rules of the contest. The audience loves fair play. A speaker injures his case by every word he speaks beyond the time limit.

5. Self-control. A speaker should have self-control. Behind his most impassioned speech he must have reserve force. His hearers must feel that his strongest emotions are under the control of his thought. The debater should remember that a speaker who loses his temper loses his audience.

Self-control is persuasive through enabling a speaker to master difficult situations. He can rarely foretell all the conditions under which he may be obliged to speak, or all the annoying happenings of the hour. Under the most trying circumstances, he must command his audience. His quick-

ness and tact must seize upon the event which threatens to break up the meeting, and turn a defeat into victory. His calmness must quiet a panic. His firmness must unnerve a mob. To be master of any situation, a man must first be master of himself.

Yet no man should be discouraged because he feels himself deficient in this respect. That confidence which puts a speaker completely at his ease is not to be expected at first, and to many an able speaker it has come only after persistent struggles. The greatest self-assurance often has the least justification. "Every great orator from Demosthenes to Burke," Gladstone once said, "has suffered from nervousness on the eve of an important speech, and although I cannot claim to share their gift of golden speech, I can claim more than a fair share of their defect of nerves."

6. Humor. To have the audience in good humor is to have the case half won. A sense of humor may enable a speaker to use to his advantage what would otherwise be his downfall. Sometimes he can do no better than to relieve the strain of an address by an illustration or anecdote which is merely amusing. If properly used, it serves the purpose of the jester's scene in a tragedy; by contrast, it heightens the effect of the serious parts. A single touch of humor may be the saving grace of a speech. A story may give point and vividness to an argument; it may even render argument unnecessary. But it must be "pat"; it must not be open to wrong interpretation; it must be brief; and it must be subservient to the main purpose. Such a story — as illustrated in the speeches of Abraham Lincoln and Booker T. Washington — aids persuasion. Let the speaker take care, however, that the audience laugh *with* him, rather than *at* him, and that he leave uppermost in their minds, not the humor, but the serious central theme of his address.

7. Sympathy. The basis of the art of persuasion is a knowledge of human nature as sympathetic as it is wide. The

speaker who knows men and women tells instinctively what emotions he may appeal to in a given audience, what ideas he must leave unspoken, and when another word will spoil all. Such a speaker will never "talk down" to his audience; he will not assume the rôle of the dictator; he will not strike an attitude as if to set the world aright; and he will not approach his audience as though he expected to browbeat them into convictions. He knows that the people are willing to be led, never willing to be driven. So he merely takes them into his confidence, and talks to them as though he thought they knew as much as he knows. Putting himself in their places, he selects those phases of the subject which are closest to their interests, as Beecher selected the industrial side of the slavery question in his speech before the workingmen of Liverpool. He does not blame his hearers for being unconvinced, but himself for failing to convince them.

The unpersuasive attitude toward opponents is illustrated in the following editorial. Both the words of the Defense Society and the words of the editor in reply are more likely to confirm than to overcome opposition: —

"Unfortunately every move that is proposed for full preparedness still is opposed by a blatant crowd of pacifists, slackers, kickers, and traitors, who against good causes know how to fight very vigorously! The curse of our country to-day is its motley crew of bad citizens. Another curse is the astounding apathy of many good citizens. Against these ball-and-chain influences forever dragging on the leg of Progress, one must fight."

Who is it who thus knows out of his complete and divine wisdom just who are good citizens and who are bad? Why, the American Defense Society, of course. Yet, while it weeps over the motley crew who are in its eyes bad citizens because they refuse to agree with it that the way to preserve peace is to Prussianize the United States, it has not lost courage. No, indeed. "Our cause," it says, "is gaining ground — no doubt about that!" — and to consolidate the ground won, it asks a beggarly \$30,000 for the coming year's work — \$30,000, where last winter it was getting money by tens

of thousands of dollars. Eighty-five thousand dollars, one canvasser alone reported, found its way into the Defense Society's treasury. Plainly, it is enormously to the Society's credit that it still keeps its faith in us Americans when it is compelled to circularize the public for a paltry \$30,000 with which to finance its campaign for conscription.¹

The persuasive speaker, feeling with his hearers the difficulty of concentrating the mind on one subject for any length of time, aids them with variety in tone, in emphasis, in delivery, with the unexpected, with picturesque phrasing and apt illustrations, with touches of humor, and with avoidance of the commonplace. He watches his audience to discover whether they are following him; he feels intuitively when they do not understand him. A sympathetic speaker can discern a look of intelligence, even in the most stolid faces, which tells him that his ideas are not falling on barren ground. He watches especially those people whose attention lags, and he stops speaking before they become restless. In short, the persuasive speaker gets the point of view of "the other fellow," feels the state of mind and body of his every hearer, and adapts his address accordingly. This is persuasion.

8. Openness of mind. A willingness to know, a readiness to listen, a desire to be convinced, an attitude of candor, an honesty of the intellect,²—these characteristics of the developed mind are in themselves persuasive. That immorality of the intellect which withholds, distorts, minimizes, or refuses to acknowledge the truth is the shackle of the closed mind and a foe of persuasion. To welcome personally disagreeable truth is a test too severe for undeveloped minds, and even the educated man must love the truth above everything before he is sufficiently humble to pass the test smilingly. To such a man the whole truth is dear; he has faith in its capacity to stand alone without artificial supports.

9. Personal magnetism. The power of a speaker to draw

¹ *The Nation*, November 23, 1916.

² H. H. Horne, *The Philosophy of Education*, p. 228.

a whole audience into the circle of his influence, and to hold them as if entranced until his last word, is more easily felt than defined. This power may be called personal magnetism. It is best described in Emerson's *Essay on Eloquence*. It is the sum total of all the speaker's attributes, — his physical, mental, and moral characteristics, raised to their highest power, and working together for a definite object. In this respect, more than in any other, an orator is born, not made. Yet all that a man does to keep his body well formed and healthy, all that he does to make his thought keen and deep, and all that he does to make his conduct right as he sees the right, contribute to personal magnetism. A great and good speaker must first be a great and good man.

II. THE SUBJECT

The persuasive qualities of the speaker are but means toward the end of fastening the attention of the audience on the subject. Unless the *subject* is the deepest source of persuasion, there is no occasion for speaking. When an orator seems greater than his subject, people leave the hall talking about him. But the greatest praise they can give a speaker is to forget him and his rhetoric in earnest discussion of what he says. The difference between the oratory of Cicero and Demosthenes has been suggested by this remark: "When Cicero spoke, people said, 'How well he speaks!' When Demosthenes spoke, they said, 'Let us go against Philip!'" One impressed himself on the audience, the other, his subject.

There may be persuasion in a speaker's relation to his subject. After a heated discussion in one of the social settlement houses of a large city, on the question whether the United States should further restrict immigration, an Indian girl arose and quietly remarked, "So far as I can see, I am the only American present."

But more important than the relation of the speaker to his subject is the principle which abides in the subject. This

is the chief source of persuasion. The effective speaker probes beneath the surface and the transient situation which gave rise to the discussion, and reveals this underlying principle of universal application. On this principle he makes a final appeal, leading the audience to feel that the discussion has been worth while after all, and that the minor matters which make against his case are quite overshadowed by the importance of the vital principle. Thus a member of Congress, in defending himself against petty attacks, urged the people to sweep aside all personalities and local issues and decide a broader question, — whether any lobbyist should be permitted to snap his whip over the head of any congressman and dictate how he should vote. The occasion which gave rise to Burke's *Speech on Conciliation* passed into history over a century ago, but the great principles on which the speech was founded still live. So with the master works of Demosthenes, of Cicero, of Erskine, of Wendell Phillips, of the orators of every age and race.

The speaker must study his subject and his audience to determine what are the highest motives to which he can effectively appeal. He must consider, on the one hand, the wealth of ethical incentives in his subject, and on the other hand, the capacity of his audience for responding to these ethical appeals. He must begin with the lower motives and work up to the higher, remembering that the larger the audience, the higher the motives to which they will respond. In urging students not to destroy college property, the Dean might suggest that, by respecting the wishes of others, they would get more respect for their own wishes; and that they will get freedom only in so far as they do not abuse freedom. These would be appeals to selfish motives. The Dean might then lift his appeal to higher planes by pointing out the loss in money to parents, the trouble to college authorities, and the disappointment to friends. He might then appeal to the loyalty of the students to their college, urging them not to

injure its good name by their acts. Finally, he might appeal to their sense of gratitude to benefactors.

Theodore Roosevelt, in an address on *The Manly Virtues and Politics*, touches lightly on the motive of self-interest, and then appeals to the higher motive of duty:—

It is a good thing to appeal to citizens to work for good government because it will better their estate materially, but it is a far better thing to appeal to them to work for good government because it is right in itself to do so. Doubtless, if we can have clean, honest politics, we shall be better off in material matters. A thoroughly pure, upright, and capable administration of the affairs of New York City results in a very appreciable increase of comfort to each citizen. We should have better systems of transportation; we should have cleaner streets, better sewers, and the like. But it is sometimes difficult to show the individual citizen that he will be individually better off in his business and in his home affairs for taking part in politics. I do not think it is always worth while to show that this will always be the case. The citizen should be appealed to primarily on the ground that it is his plain duty, if he wishes to deserve the name of freeman, to do his full share in the hard and difficult work of self-government. He must do his share unless he is willing to prove himself unfit for free institutions, fit only to live under a government where he will be plundered and bullied because he deserves to be plundered and bullied on account of his selfish timidity and short-sightedness.

A speaker may offset the persuasion of an opponent in one or both of two ways. First, he may himself respond to the emotional appeal of his adversaries, and show that his own position is quite consistent with these worthy emotions. Second, he may appeal to higher emotions and show that they are higher. This is effective only when the audience responds to this higher appeal.

If a debate turns out to be dull, after the subject has been chosen with due regard to the suggestions we have given, the speakers must not blame the subject. There are possibilities of interest and delight — sources of persuasion — in every debatable question, and there are speakers who can

always find and use those possibilities. Such speakers should be *studied* at every opportunity.

III. THE OCCASION

The occasion itself may be inspiring. The air may be vibrant with persuasive influences, to which the speaker has only to yield himself. Party enthusiasts in the heat of a political rally and students celebrating an athletic victory greet the most stupid words with prolonged applause. The speaker has only to enter into the spirit of the occasion. Usually, however, the speaker is lost whose power depends on the inspiration of the occasion; he must master the occasion through his power. The ordinary attitude of the modern audience is indifference. At the outset, the speaker can almost hear them say, "Come, now, if you have anything worth saying, say it right away and say it well, or we are done with you."

There is persuasion latent in every occasion. Whether the speaker summons it forth depends on his ability to adapt his subject to the occasion. This, in turn, depends in part on his knowledge of the occasion. No fact is too insignificant to be of possible aid to him in adaptation. He must know the attitude of his audience. Ruskin, in the first lecture of *Sesame and Lilies*, said: "I never can go on with an address unless I feel or know that my audience are either with me or against me. I do not much care which, in beginning; but I must know where they are." The hearers must be made to feel that the whole address is meant for them on that particular occasion. Earmarks of previous use are almost fatal. Let the audience once discover that the speech was prepared for another time and place, and is now served up to them as a cold after-thought, and their own feelings cool. Adaptation is the secret of persuasion.

EXERCISES FOR THE ELEVENTH CHAPTER

1. Enumerate the sources of persuasion mentioned by Emerson in his *Essay on Eloquence*.
2. Write a letter to a boy in a preparatory school asking him to enter your college. The letter should be so clearly adapted to this boy that the other members of the class, on hearing it read, will be able to tell about the boy's position, habits, temperament, interests, and desires.
3. Attend a lecture (to be prescribed for the whole class) and take note of the sources of persuasion (a) in the man, (b) in the subject, and (c) in the occasion.
4. By what methods does Burke endeavor, in the Introduction to his speech on conciliation, to arouse interest, overcome prejudice, and gain favorable consideration for his plan?
5. What are the persuasive qualities in Burke's Speech, from paragraph 142 to the end? To what motives does he appeal?
6. What objections do you find to the following quotations from argumentative speeches?
 - a. "Labor's demands can no longer be dismissed with contempt. A man may not agree with us, but he must now show why he does not, and the logic is always on our side because we are right." — Samuel Gompers.
 - b. "Mr. Speaker, I rise under some embarrassment occasioned by a feeling of delicacy toward one half of the house, and of sovereign contempt for the other half." — Edmund Burke.
 - c. "My opponent has tried to make you think that I favored the control of intra-state railways by the Federal government. But he cannot deceive so intelligent an audience by willful misinterpretation. Any fair-minded man must see that I have absolutely proved my proposition." — Student in debate.
7. Discuss the persuasive adaptation of the subject to the special time and audience in one of the following speeches: —
Phillips Brooks, *Fourth of July Address*.
Booker T. Washington, *Address at the Atlanta Exposition*.
John Brown, *Farewell Speech*.
Wendell Phillips, *Toussaint L'Ouverture*.
(These speeches are all included in G. P. Baker's *The Forms of Public Address*.)
8. Let each member of the class rewrite one of his arguments for

the purpose of adapting it persuasively to a *special* audience. If possible, arrange for the actual delivery of the speech before the audience for which it is prepared. (For further suggestions, turn to the article on "College Courses in Public Speaking," in *The Nation*, April 11, 1907.)

TWELFTH CHAPTER

DEBATING

“The supreme advantage of debate is that it compels a man to think. A man is not a man unless he is a thinker — he is a fool, having no ideas of his own. If he happens to live among men who do think, he browses, like an animal, on their ideas. He is a sort of kept man, being supported by the thoughts of others. He is what in England we call a pauper, who subsists upon outdoor relief allowed him by men of intellect.” — J. G. HOLYOAKE.

THE oral presentation of argument under fixed rules, whereby each side of the question is given a limited hearing and immediate opportunity to reply to the other side, is called formal debate. Nearly all that we have said about argumentation applies as well to the art of debate.

Debating not mere contentiousness. Debating, as the term is here used, does not mean mere contentiousness, — discussion carried on “just for the sake of argument.” It was said of one man: “He is a born debater. There is nothing he likes better than an argument. He will not even eat anything that agrees with him.” The trained debater is not of this class. The more he knows about the science of logic and the art of debate, the more reluctant he is to engage in futile argument. And disputes are, for the most part, futile. They set out on their wanderings from nowhere and arrive nowhere; they are without common ground; there are no truths accepted as a basis of debate; and the more contentious the disputants become, the more likely it is that they know not what they are discussing. Such disputes are parodies on argumentation.

Burden of proof and presumption. We have seen that the proposition should be so phrased as to place the burden of proof upon the affirmative and make the presumption in

favor of the negative. The burden of proof and presumption vary with time and place. Forty years ago the burden of proof rested on those who advocated elective studies in the college course; now the burden of proof is on the other side. Those who advocate Free Trade for the United States have the presumption against them, because Protection is the policy of the nation.

In the law courts, it "is the office of the pleadings, as preparatory to the trial, not only to separate the law from the facts, and to narrow the case down to special, definite issues, excluding all extraneous and admitted matter, and laying the bones of contention bare, but also to apportion the propositions of claim and defense, such as payment, contributory negligence, truth in slander or libel, and thereby determine the burden of proof as to the various issues involved."¹ The rules of pleading thus indicate what facts the plaintiff (corresponding to the affirmative in debate) must prove to make out a *prima-facie*² case, and what the defendant (corresponding to the negative in debate) must prove by way of defense to relieve himself from this *prima-facie* cause of action.

The bearing of the burdens thus apportioned by the pleadings is assisted by numerous presumptions. Thus a farmer suing for damages to his barn by a fire set by the engine of a railroad company is at such an unfair disadvantage in proving defects in the engine or negligence on the part of the railroad employees, that many recent decisions have adopted the rule that the mere fact of fire being kindled by an engine on lands adjoining a railway track is *prima-facie* evidence of negligence. The plaintiff is thus assisted in proving his allegation of negligence in the first instance by a presumption, and it becomes necessary for the railroad to introduce evidence

¹ See "The Apportionment of Proof and the Burden of Rebuttal," by H. W. Ballantine, in *Law Notes*, December, 1912.

² *Prima facie* = that which would hold good if no other evidence were adduced.

to overthrow the presumption against it, by showing that the fire started from another source, or that the engine was a good one, properly constructed, equipped, and operated.

When the plaintiff has made out a *prima-facie* case, the burden of proof is said to shift to the defendant. Properly speaking, the plaintiff has created a burden of rebuttal. The defendant then has the choice of bearing this burden of rebuttal or assuming the burden of an affirmative, constructive proof. For example, the railroad, as defendant, may seek to discredit the testimony of the witnesses introduced by the prosecution to prove that the engine caused the fire; or the defendant may assume the burden of proof — offer an affirmative case — by attempting to prove that the fire was of incendiary origin. Similarly, in formal debate, the negative may choose to what extent it will assume the burden of a constructive case. The affirmative has no choice.

The matter of burden of proof and presumption is of greater importance in law, however, than in formal debate; for in law the defendant wins his case unless he is proved guilty; a man retains what he possesses until it is proved before the law that he has no legal title to it. A case may be won on technical flaws. A man is assumed to be what he professes to be until the contrary is proved. In formal debate, the audience expects more than this. In all dealings with the public, the proposition must be treated in a broader way than is necessary in the law court. The public are not satisfied with a candidate for the Presidency of the United States who does little more than pick flaws in the record of the candidate for reëlection. A debater who attempts to win on a technicality, or who is satisfied with presenting a purely destructive negative case, usually loses the sympathy and the verdict of the audience.

In formal debates, like those held in college courses and between institutions, it is not appropriate or effective to make much directly of this matter of burden of proof and

presumption; for the sides of the question are supposed to be as nearly even as possible. The side, therefore, which attempts to show that the question throws a great burden of proof on the other side loses the sympathy of the audience which, in a formal controversy, usually goes to the side which has the more difficult task. Moreover, the mere fact of existence is logically no proof of right; and the man whose argument depends to a large degree on veneration for the existing order of things deserves to lose the confidence of a reasoning audience. Manifest attempts to shift the burden of proof in this technical sense to the other side are not advisable, although all argument is intended to shift the *actual* burden of proof. The debater who is skillful enough to shift this actual burden of proof upon his opponents need not tell his audience about it in technical terms. They feel it.

The tendency to quibble. Debates are often unsatisfactory because of quibbles over the meaning of terms, evasions of what seem to be the main issues, and consequent failure of the sides to clash. No matter how carefully a proposition is phrased, some disputants, with more ingenuity than sense, will try to force upon their opponents unusual meanings of the terms, and seek still further to evade the real issues of the question by a narrow or strained construction. This kind of "debating" should be condemned. Men should remember that such quibbling over words is no preparation for the problems of life; that the object of argumentation is to arrive at truth, not to obscure truth. Trick plays have no place in debate. A debater who insists on a controversy over words instead of ideas is like a runner who strives to push his rival off the course so that neither can breast the tape. In any event, a victory won by fouling an opponent is less to be desired than an honest defeat.

Even when there is no intentional dodging of the issues, eagerness to win often leads to such tricks of interpretation that the opposing teams fail to clash early in the contest, if

at all. In a debate at the University of Wisconsin, on the proposition, "Resolved, that a system of compulsory workingmen's insurance should be established in the United States," the two sides failed to clash. One side interpreted the proposition as meaning that the employers should be compelled to insure their laborers. The other side insisted that compulsory insurance was the requirement that workingmen should insure themselves. Thus the two sides moved by each other as smoothly as passing trains on parallel tracks. There was no debate. A real debate is a head-on collision. When the two sides fail to come squarely together before the time is half spent, the audience become restive, if not disgusted. They feel that the addresses would have been more profitable to both speakers and hearers, if a debate could have been guaranteed by agreement, before the day of the contest, on various introductory matters of interpretation.

Value of the exchange of briefs for college debates. In the law courts, inconsequential discussion and waste of time is sometimes obviated by the submission of briefs. The lawyer informs the court and the opposing counsel of his argument before the case comes up for trial. In the most satisfactory college debating courses, each side is required to submit its brief a week or two before the debate. For first practice, there must be a common Introduction, containing the necessary definitions, historical matter, admitted matter, clash of opinion, and resulting main issues, all of which is agreed to by both sides. The Brief-Introductions in the second chapter were thus prepared jointly by opponents in class-room debates, and discussed with the instructor at a conference. The object of this preliminary conference on the briefs is a contest which shall be a real debate from the start. The agreements tend to prevent quibbling over terms, failure to meet on the issues, and the waste of time occupied in proving at length what the other side admits. The resulting debate is worth much more to the auditor who wants to learn

something about the question, and to the student who wishes preparation for the real contests of business and professional life. Such a debate is less academic. The rebuttal is more likely to come early when the need arises, rather than all at the end as now frequently happens in intercollegiate debates. The submission of briefs, containing full Introductions to which both sides have agreed and bare outlines of the arguments on each side, seems as highly desirable in intercollegiate debates as in law courts and college courses. Such a plan would go far toward eliminating some of the most objectionable features of present intercollegiate debating. The plan will be feasible wherever the desire to win decisions can be subordinated to the durably important aims of debate.

Preparation. It has been said that the main rules for preparing for a debate are three: "Read. Read much. Read very much." But these rules must be supplemented by three of even greater importance: "Think. Think much. Think very much." The tendency is to make reading a substitute for thinking. If a student cannot find ready-made arguments, a case worked out for him on the exact proposition, he complains that there is no available material. He expects to prepare for a debate as for a declamation. But debaters should consult printed matter mainly for facts to think about. Their reading should enlighten them as to the origin and meaning of the question, furnish the historical basis for the discussion, warn them against untenable positions, reveal the strong and the weak points of the other side, and suggest evidence for them to interpret and employ. Debaters should react on what they read and make it their own. They must expect to work hard, for in all undertakings in which the reward is great, the labor is great in proportion. "All things excellent are as difficult as they are rare."

A book on oratory recommends the following method of learning to speak, as given by one who had tried it:—

I went to my room, locked the door, placed the Bible before me on a mantel, opened it at random, and then on whatever passage my eye chanced to rest, proceeded to deliver a discourse of ten minutes. . . . At first I found it very difficult to speak so long right to the point. But then if I could n't talk *on* the subject, I would talk *about* it, — making good remarks and moral reflections, — being careful to keep up the flow, and say something to the end of the term allotted for the exercise.

This advice is pernicious. The ground work of all good speaking is and must be sustained and vigorous thinking. No devices of elocution, no training in loquacity, can take its place. Elocution does very well as far as it goes; but “it is a mighty bloodless substitute for life.” And thinking is the life of public speaking. The very reason why we hesitate to trust ourselves to the mercies of orators is that so many do “keep up the flow” even when they cannot “talk *on* the subject.” Such practice may produce what Tacitus calls a “lean and bloodless, sickly race of orators, without sinew, color, or proportion,” but it cannot produce sound reasoners.

It may be true of after-dinner speaking, as Colonel Higginson said, that the best things are almost always the sudden flashes and the thoughts not dreamed of before. “The best hope that any orator can have,” said he, “is to rise at favored moments to some height of enthusiasm that shall make all his previous structure of preparation superfluous; as the ship in launching glides from the ways, and scatters cradle timbers and wedges upon the waters.”¹ The simile is a good one, for a previous structure of preparation from which to launch is as essential in public speaking as in shipbuilding. Speakers usually find that the “sudden flashes” do not respond to what is called the inspiration of the moment. The main reliance must always be the solid structure of preparation.

¹ *Hints on Writing and Speech-Making*, by Colonel T. W. Higginson, p. 70. (Lee & Shepard, Boston, 1887.)

After a person has thought long and hard on one subject for debate, has done his best to get at the bottom of it, and has met worthy opponents in a well-fought contest, he begins to see the shallowness of his knowledge on other subjects. Ever after he is inclined to be dissatisfied with work half done, and he does not call every flimsy discussion a debate. He has set up a standard of achievement, the value of which it is difficult to overestimate. A person, on the other hand, without the training of sustained and vigorous thinking, is prone to give snap judgments.

Any one who substitutes a little reading for a lot of thinking, or relies on fluency and the inspiration of the occasion, is like Gratiano: He "speaks an infinite deal of nothing. . . . His reasons are as two grains of wheat hid in two bushels of chaff: you shall seek all day ere you find them, and when you have them, they are not worth the search." The master in the art of debate is not known by his assurance and fluency, not primarily by his cleverness, not even by his learning, but rather by his breadth of view, scientific method, thoroughness of preparation, precision of statement, hatred of superficiality, — in short, by his habit of mind.

The first speech for the affirmative. The opening speech should present all the steps in analysis which are necessary for an understanding of the debate and no more.

The Introduction should be unprejudiced. Objectionable in this respect are the opening speeches of an inter-university debate held a few years ago. The first speaker for the affirmative began as follows: —

For years the Southern problem has been before the nation. Other issues have at times taken the foreground, have been decided, have passed away, and the Southern problem has always remained. But a movement was begun about fourteen years ago, which in its fair and legal application restricted the negro vote. This movement in a legal way is solving the problem. This is the movement that we are considering to-night, viz.: "The changes in the constitutions of the Southern States since 1889, by which the

negro vote in such States has been restricted, are, on the whole, to be commended."

The first speaker for the negative began as follows: —

Since the ratification of the Fifteenth Amendment, there has been a faction of Southern political leaders who have never been satisfied with this provision, because it conferred upon the negro the right of exemption from discrimination, in the exercise of the elective franchise, on account of his race, color, or previous condition of servitude. This class of men, through their fraudulent and cunning devices, have succeeded in disfranchising the negro in six of the Southern States, by incorporating into their constitutions suffrage clauses which practically eliminate from the body politic negroes, both literate and illiterate. We who live in the North do not realize, at first glance, the magnitude of injustice caused by the workings of these suffrage clauses.

Both speeches thus begged the whole question at the very outset, without presenting any of the definitions, admitted matters, origin and history of the question, necessary for an understanding of the argument. If the unsupported assertions of either of these first speakers were true, there would be no need to proceed with the debate.

Somewhat better than these prejudiced and deficient introductions are the following opening words of a debate at New Haven, although even in this speech, the italicized parts are objectionable as introductory matter: —

The proposition we have to consider this evening is, Resolved, that further restriction of immigration is undesirable. By "further restriction" is meant the application of additional tests with the object of diminishing materially the number of immigrants; but the nature and practicability of such tests are not to be discussed. It is distinctly specified that any further restriction must be with the object of diminishing materially the number of immigrants. Any discussion, then, of the desirability or undesirability of further restriction must evidently be based on the assumption that such restriction is advocated with the distinct object of materially reducing the number of our immigrants. But before discussing the

desirability of any further restriction, let us review briefly the facts of the present situation.

The question of immigration is not a new one. It has been discussed from one end of this country to the other, debated by Congress, and investigated by congressional committees. In 1903 the Industrial Commission, after a *most thorough* inquiry extending over five years, presented to the consideration of Congress eighteen distinct recommendations dealing with *every phase of the subject*, and designed to remedy *as far as possible any evils* in the existing immigration situation. Every one of these recommendations is embodied in the laws of to-day. These laws, then, are not merely theories. They are the outgrowth of years of practical experience, and of *the most profound thought*, and as such we must have them clearly in mind before there can be any discussion as to the desirability of additional tests. These laws *exclude* to-day all idiots, insane persons, epileptics, paupers, criminals, convicts, anarchists, polygamists, beggars, and those afflicted with loathsome, dangerous, or contagious diseases. They forbid the entrance, except in certain specified cases, of any who are under any agreement to perform labor in the United States, or whose passage has been prepaid. And, as an additional safeguard, the commissioners have been given further authority to exclude all those who in their opinion are likely to become public charges. Moreover, the laws provide that if any immigrant becomes a public charge, or is discovered to have entered in violation of the law, he may be deported from this country within two years after landing. Consequently, we may be reasonably sure that any immigrant who is admitted under our laws to-day *has previously been able to prove, under exacting physical examination*, that he is healthy, moral, industrious, free from all crime or disease, and willing and able to earn his living by the sweat of his brow. Now, while the affirmative is perfectly willing to admit that there may be minor defects in our laws to-day, while we readily admit the desirability of any modification or improvement looking to their better enforcement, we consider as distinctly undesirable any further restriction with the object of diminishing materially the number of our immigrants.

Still better than any of the preceding introductions is the opening speech in the Chicago-Michigan debate on the proposition. “Resolved, that corporations doing an interstate business should be required to take out a Federal charter.”

The last twenty-five years have witnessed a remarkable increase in the number of our corporations, and a corresponding change in their character and business. The early corporations rarely did business outside the limits of their own States, but to-day nearly every corporation has its customers and stockholders, buys its supplies and sells its products, in every State of the Union. In the words of Judge Dill, "Our corporations have overleaped the boundaries of the States, until their financial roots extend down into every commonwealth and municipality in this entire land." So true is this, that there has come a demand, voiced by such men as Professor Wilgers, of the University of Michigan, and President Roosevelt, that our corporations be directly chartered and controlled by the national government. It is this proposition that we present to-night.

Our resolution provides that all corporations engaged in interstate commerce must obtain, from the national government, instead of from the States as at present, charters defining their powers and organization. The conditions upon which Congress will grant these charters will reflect the public policy of the entire nation in reference to this subject. And in so far, of course, as the proposed national corporations engage in business confined to the separate States, they will remain subject to state regulation, because Congress cannot, under the Constitution, concern itself with anything except their interstate business.

The affirmative will uphold this proposition upon four grounds: *First*, that there are evils in our corporations at the present time, serious and national in their scope; *Second*, that these evils are inherent in the system of incorporation by the various States; *Third*, that for these evils, Federal incorporation is the only logical and effective remedy; *Fourth*, that national incorporation would be a wise extension of national activity. In short, in contrast to a system of state control of national corporations, we propose a system of national control.

It is true, as doubtless will be contended by the negative, that some of our corporations are honest and law abiding. But in other corporations there are grave evils, which must be remedied, not for the sake of the public alone, but as much for the sake of the good corporations, which suffer by association. These evils may be roughly grouped under three heads: *overcapitalization, interholding of stocks, and dishonesty in promotion and management.*

After presenting such introductory matters as the proposition demands, the opening speaker should take up the first

issue and endeavor to make definite progress with the case of the affirmative. He should show the relation of his work to the work of the other speakers on his side; and he should make clear just what he understands to be the bearing of his argument on the negative side, and what, consequently, his opponents must do to meet the contentions of the affirmative.

The first speech for the negative. The first requisite of the opening speech for the negative is adaptation to the preceding speech. This is the chief difference between a debate and a program of memorized declamations. The speaker must make clear to what extent he accepts the work in analysis presented by the affirmative. If he does not agree with the interpretation of the proposition and the issues, as set forth, he must give satisfactory reasons for differing. To the affirmative belong the duty and right of interpretation. Unsupported objections to the interpretation as offered by the affirmative count for nothing.

A Cornell-Pennsylvania debate and a Bowdoin-Clark debate furnish illustrations of successful opening speeches for the negative. (See Appendices III and XII.)

If the affirmative speaker has failed to analyze the proposition and to set forth the issues, the negative speaker must supply the deficiency. In the Bowdoin-Clark debate (see Appendix III), the first speaker for the negative supplied the necessary introductory matter neglected by the first speaker for the affirmative.

Furthermore, the first negative speaker must either refute the arguments just advanced or show good reason for postponing the refutation. Arbitrarily to postpone answering the contentions of the first speaker looks suspicious. Usually there is no time for complete refutation. The debater should avoid scrappy work by taking up a single main point and hitting that hard.

If the closing argument of the affirmative speaker has evi-

dently made a strong impression upon the audience, and is uppermost in their minds, the following speaker cannot afford to ignore it. He must reply at once; but the amount of time which he can allow for the reply will depend on the amount of constructive work still to be done for his side. In the Harvard-Yale debate, on the question whether the history of trades-unionism shows a general tendency detrimental to the best interests of the country, one speaker closed with great praise of trades-unions for their willingness to arbitrate. The following negative speaker took up that argument at once, and said, in refutation: —

You have heard the last speaker dwell upon the benefits of arbitration. But what kind of arbitration, ladies and gentlemen? The arbitration they are seeking to establish involves conditions with which the employer cannot comply. How can employers arbitrate regarding paying men twenty dollars per week, when to do it would render their economic existence impossible? Let me read to you these words from the third vice-president of the American Federation of Labor: "If the employers won't arbitrate and give us what we want, then we will fight for it until we get it." What kind of arbitration is that? "If they won't arbitrate *and give us what we want*, then we will fight for it until we get it." And how can the employers of this country arbitrate with men who continually refuse to become responsible for the contracts which they make? Trades-unions absolutely refuse to incorporate, and how can we ask responsible corporations to make contracts with organizations which are irresponsible? Is this arbitration?

At the close of his speech, the first speaker for the negative should summarize his own argument, show its bearing on the argument of the other side, and point out just what work, in view of these facts, the affirmative has still to perform.

The other main speeches. For the other speakers, the first requisite is adaptation. They must adapt their work to that of the other side, as the debate proceeds, and they must adapt their work to that of their colleagues. Team-

work is essential. A debater who will not play precisely his part, who refuses to sacrifice individual notions for the sake of the whole case, is as objectionable as a football player who ignores the signals or refuses to follow his interference.

It is the duty of each speaker to summarize, not only what he has said, but all that has been said on his side up to that point. The fact that the opposing speakers intervene to distract the attention of the audience makes this kind of teamwork necessary. It helps to keep the whole case in view, and thus makes the final summary more significant and effective. A word of caution is here necessary. Time will not allow an elaborate and detailed summary. Only the main points can be given, with terse, clear reminders of the means by which they were proved.

A debater can usually decide beforehand with what argumentative and emotional appeal he wishes most vividly to impress his audience. With this he should plan to close his speech, and he should become so familiar with it that a terse and forcible phrasing will be sure to respond to his thought when the time comes for delivery. Rarely will the course of the debate be so far from his expectations that he will be obliged utterly to abandon the chosen peroration. Knowing that in these closing words all his strength must be summoned for a final attack, knowing that this is his last chance to win the audience, the debater has no excuse for presenting a weak ending. When he sees that he has only a little more time than is necessary for his peroration, he should at once bring to a close the part on which he is speaking, omitting important points, if necessary, in order to round out his speech with what is *most* important. Unless he follows this deliberate plan, he may be cut off abruptly and obliged to leave his speech hanging in the air, an experience as awkward as it is common.

Rebuttal speeches. Those who have difficulty in analyzing

an opponent's case as he speaks and in rapidly preparing answers may yet become effective speakers in rebuttal, for effective speakers seldom rely on the inspiration of the moment, as is commonly supposed, to furnish rebuttal material. A speech which is admirably fitted to another, which seems in every detail to grow out of the immediate occasion, may have been prepared in all its essentials long before the debate. Webster's *Reply to Hayne* was almost entirely refutation; yet Webster declared that all the material had been waiting in his desk for months. "If he had tried to make a speech to fit my notes," said Webster, "he could not have hit it better."

Debatable questions have usually been so extensively discussed that arguments are rarely presented in debate which could not have been anticipated by thorough preparation. To be sure, the relative emphasis placed on the parts, the arrangement, the phrasing, and the arguments ignored by an opponent, may cause some surprise; but there is rarely any excuse for being surprised by the arguments actually presented.

Nevertheless, although one should prepare himself to meet every argument which is likely to be presented against him, he should not assume that his opponents will use certain arguments and proceed to refute them in advance, unless he can prove that those arguments are essential to his opponents' case. Otherwise his opponents may make him appear ridiculous by admitting all that he has said.

In refutation debaters usually gain in spirit and fall off in substance. There is no need for this weakness. The falling off in substance is due to defective preparation on the *other* side of the question. A skillful debater, perceiving only two or three cases at all likely to be presented against him, groups his rebuttal material in advance with reference to these possible cases. He usually has enough material for an hour's address, although he may be allowed but five minutes. From

this mass of material he selects and arranges, as the case of his opponents develops, whatever will most effectively meet that case.

Thorough preparation on both sides of the question will enable a debater to anticipate nearly all the arguments that demand refutation; but not all. The unexpected may happen; the line of attack may be unusual or even original; evidence may be presented from a source that all his research has failed to discover; the force of his own work in conviction may be considerably overcome by a persuasive appeal, the reply to which could not be effectively prepared in advance. Formal debate allows no time for collecting new evidence. The debater must decide at once what is the bearing on the question, and what is the relation to his own case of the argument advanced against him. He must decide whether it is worth answering; if so, when and by what method. There are times in every debate when nothing but a complete understanding of the underlying principles will suffice. At such times that team will go to pieces which has allowed a coach to do most of the work and provide ready-made rebuttal.

The debater who is unable to grasp the whole question, who has not, by analysis, differentiated the main issues from the subordinate ones, who fails therefore to appreciate relative values, is usually known by his "scrappy rebuttal." He jots down a miscellaneous lot of "points" made by his opponents. Everything is fish that comes to his net. Some of the points on which he wastes his limited time are evident slips of the tongue, mere illustrations, admitted matters, irrelevant details, and other trivialities which most of the audience have already forgotten. He proceeds to attack these points at random. As the order of attack is in no way related to the established order of issues, or to the development of his case or to that of his opponent, the bearing of these points is lost and their relative importance is obscured. The most common

adverse criticism of rebuttal in debates is that it is scattering and trivial.

The closing rebuttal speech. There is danger in formal debate that the audience shall become confused, and unable, after the give and take of refutation, to see how the contest stands at the end of the debate. It is therefore the first function of the conclusion to make clear what has been done by both sides. To make this clear, the speaker must take up the issues, one by one, in a logical order, which is usually the order determined at the outset. His purpose is to show, by contrasting the arguments which the course of the debate has left standing on each side of each issue, that his side has the weight of proof in its favor. He thus emphasizes his own arguments at the expense of his opponents' arguments. As the weight of evidence is rarely on the same side for all the issues, the last speaker in rebuttal may find that his side has established only part of its case. He should then endeavor to show that the issues on which his side has presented the preponderance of proof are the most important. All this is called the work of amplifying and diminishing. This work may take the form of contrasting the results of policies, or the nature of underlying motives, or the kinds of argument, or the sources of evidence. But in any event, the last speaker has no time for minor matters. He must subordinate the insignificant odds and ends, which are more or less confused in the minds of the hearers, to the main issues. His task is to muster the whole forces of his side for an orderly, unified, final attack.

Organization of rebuttal material. The material for answering the contentions of opponents should be immediately available. Otherwise much of your reading and study may count for nothing. You may know that there is a decision of the Supreme Court which invalidates the legal argument just presented against your proposition; but unless you can find the exact quotation at once, you cannot use it. You may

remember that somewhere in the reports of the Philippine Commission is a table of statistics showing that your opponent is wrong in his contention regarding the population of the islands; but if you are obliged to hunt through those reports to find the table, you may lose the rest of his speech, and even then fail to track down the evidence you need. You may feel sure that, somewhere among your notes, there is evidence that an authority just cited against your position is incompetent; but if your notes are carelessly taken and unorganized, you may search them in vain, and have nothing to offer against the authority but uselessly general charges. All material for use as refutation should be taken down with clearness, fairness, and precision, and arranged according to a definite and serviceable system.

The plan of taking down, on one side of cards of uniform size, all the evidence which may be useful for rebuttal, and then organizing that material under six or eight heads, has been tried time and again by many successful debaters.¹ The cards may well be of standard library size (about 3 by 5). The number and the nature of the groups into which the cards are finally divided for convenient use will depend on the question for debate, and will be roughly indicated by the issues. For example, in preparation for a debate on the proposition, "Resolved, that high school secret fraternities should be prohibited," the rebuttal cards might be arranged in eight packs, labeled: "Legality," "Effect on Morals," "Effect on Scholarship," "Effect on School Spirit," "Other Methods," "School Statistics," "Authorities Commonly Cited," "Objections to Analogies from College Fraternities." The only necessity is that the classification shall be such, in number and in headings, that any member of the team which is to employ the system can put his hand at once on the needed evidence.

¹ See also section VIII of the fourth chapter.

SPECIMEN REBUTTAL CARDS

LEGALITY.

Illinois Supreme Court decision:
Chicago Case.

Although prohibition of school fraternities is held illegal, in that —
 The Chicago courts issued "an injunction prohibiting the school
 authorities from enforcing the rules" against fraternities.
 (Authority of "Com. on Secret Frats." of N. E. A., G. B. Mor-
 rison, chairman, Proceedings of N. E. A., 1905, p. 451.)
Yet, the courts later dissolved the injunction.

Source: *Journal of Education*, January, 1907.

EFFECT ON MORALS.

Exceptional Schools.

Although it is held that the societies at
 Erasmus Hall High School, Brooklyn, and at
 Phillips Exeter Academy,
 are morally beneficial to the members,
Yet, these are not fair cases, for
 The societies are not really secret, for
 A faculty member is obliged to attend
 every meeting and control affairs.

Source: *Review of Reviews*, September, 1907, p. 340: M. Melius, on
 "Are Secret Societies a Danger to Our High Schools?"

Attitude toward opponents. Milton, in replying to Salmasius, said, "Let me enter therefore upon this Noble Cause with a cheerfulness grounded upon this assurance, that my Adversary's Cause is maintained by nothing but Fraud, Fallacy, Ignorance, and Barbarity; whereas mine has Light, Truth, Reason, Practice, and the Learning of the best Ages of the World on its side." The debater who enters upon his cause with such assurance is liable to fail. No speaker can carry conviction who imagines all the truth to be on his

side and all who differ from him to be in obstinate error. Such an attitude arouses antagonism. A speaker must bear in mind that he is addressing people who have sympathies and opinions of their own, who have a perfect right to them, and who cannot be cudgeled into renouncing them.

Webster made this clear in this *Reply to Hayne*, when he said:—

Sir, the human mind is so constituted that the merits of both sides of a controversy appear very clear and very palpable to those who respectively espouse them; and both sides usually grow clearer as the controversy advances. South Carolina sees unconstitutionality in the tariff: she sees oppression there also, and she sees danger. Pennsylvania, with a vision not less sharp, looks at the same tariff, and sees no such thing in it; she sees it all constitutional, all useful, all safe. The faith of South Carolina is strengthened by opposition, and she now not only sees, but resolves, that the tariff is palpably unconstitutional, oppressive, and dangerous; but Pennsylvania, not to be behind her neighbors, and equally willing to strengthen her own faith by a confident asseveration, resolves also, and gives, to every warm affirmative of South Carolina, a plain, downright, Pennsylvania negative. South Carolina, to show the strength and unity of her opinion, brings her Assembly to a unanimity, within seven voices; Pennsylvania, not to be outdone in this respect any more than in others, reduces her dissentient fraction to a single vote.¹

Debate, which should be an honest effort to discover truth and to convince others of that truth, is in both these aspects so difficult that it should promote tolerance of the opinions and convictions of other people. During the preparation for debate and in the actual contest, one should bear in mind his own liability to error. Far from resenting the fact that others disagree with him, he should welcome opposition. If he believes in his own side, opposition is opportunity. “He that wrestles with us,” as Burke well said, “strengthens our nerves and sharpens our skill. Our antagonist is our helper.” Adversaries in debate should have at least this common pur-

¹ Webster, *In Reply to Hayne*, United States Senate, January 26, 1830.

pose, — the search after truth. A great mind is a mind open to conviction.

Ridicule and satire. Cheap ridicule is so easy and common, effective ridicule is so difficult and rare, that the danger of the one far outweighs the possibility of success with the other. A debater should not turn from the main line of his argument to introduce personalities, and he should be alert to discover and defeat the tricks of opponents who strive to allure him from the main issues by introducing such digressions as personal abuse. A thousand can answer an argument with abuse to one who can answer with reason. "It is the opinion of the ignorant," says Holyoake, "that if a man does not bluster and retort, he is deficient in spirit. This apprehension often betrays weak men into violence, and to prove themselves independent they become rude and insolent; whereas courage pursues its own way without ostentation, preserves its independence, corrects misrepresentation, repairs any injury it may have unwittingly done, and answers slander (if there be slander) with the truth. No wise man answers a fool according to his folly. He shows that it is folly, and abandons it to die by its own hands."¹

Invective. Invective delights both the weak-minded speaker and the weak-minded hearer, for it relieves the one of the trouble of producing proof and the other of the trouble of keeping his mind on the question. But the day has gone by when railing at opponents is regarded as sufficient defense of opinion.

There are men, it is true, who advocate the use of invective. Some assert that when an opponent has won the sympathy of the audience, "the speaker must counteract these effects by the use of sarcasm, wit, invective, or whatever resources he may command." Ridicule and sarcasm are especially recommended as defense against conceit and affectation. But conceit and affectation do more harm to an opponent's cause

¹ G. J. Holyoake, *Public Speaking and Debate*, p. 56. (Ginn & Co., 1897.)

when they are ignored than when they are given the consideration of a reply. When an opponent has closed a speech in a tone of grandiloquence and bombast, no invective can accomplish so much in reply as a plain argument which proceeds directly to the heart of the question. Those who advocate the use of ridicule, satire, and invective may point to the classic examples of Webster and Douglas. But the dangers and difficulties are so great that unless a student is sure that he belongs in the same class of speakers, he had best make it a rule never to use such two-edged weapons. They may be all that is left to a man who knows himself defeated; they may entice an unstable adversary away from the legitimate line of argument; they may even amuse the friends of a man who is winning, or relieve the feelings of the friends of a man who is losing; but such weapons will never win new friends for a speaker or for his cause. Hamilton, in his *Parliamentary Logic*, gives this advice: "If your case is too bad, call in aid the party; if the party is bad, call in aid the cause. If neither is good, wound your opponent." This kind of argument is unfortunately parliamentary, but it is not logic.

Epithets. The great difficulty of being just in applying epithets at once commends temperance in their use. Moreover, not even the justice of an epithet warrants it. The question is whether it will do more good than harm. And the answer is, — almost never. To accuse an opponent of intentional "quibbling," or of "garbling" a quotation, or of deliberately misrepresenting you, is to prefer a serious charge. It impeaches his moral nature; it is exceedingly difficult to prove and it inevitably creates bad feeling without necessarily advancing your cause. Regard the errors as mental rather than moral, and thus leave yourself free to deal with your opponent's arguments rather than with himself. Then show clearly and courteously just how he has evaded the question, or misquoted an authority, or misunderstood your own words. Your attitude should not be one of malice, or

resentment, or vanity. If two or more possible motives may be assigned for an opponent's attack, assume that motive which puts the best construction on his case. Be slow to accuse him of unfairness. If you must expose his errors, do so with proof and urbanity, rather than with assertion and taunt. The golden test for the use of an epithet is this: How would you regard it if it were applied to yourself? — a test which is prompted at once by good morals and good sense.

If a debater has the right attitude toward his subject, he is likely to have the right attitude toward his opponents. A man in awe of his subject is considerate, self-retiring, and direct in speech. His ardent desire to expound the truth lifts him above the digressions of debate. Lincoln was too great to use ridicule and invective. A small man abuses his opponent, misrepresents his case, bulldozes his audience, because his heart is not in his subject.

Honor in debate. A runner is disgraced for spiking his rival on the track; a prize-fighter is condemned for striking below the belt. The disgrace for foul play in debate is greater. A debater should take pains to give his opponent every fair chance. The only way to convince an audience of his fairness is to be fair. It may be true that "an adroit and aggressive first speaker can so explain the origin and history of the question and so present the issues, as to compel his opponent to accept his partition of the case." But if he does so, knowing that he is ignoring vital issues, he is engaged in a deliberate attempt to deceive, which is the method of an ordinary demagogue. The only worthy or even safe course is an honest attempt to discover and to set forth the real issues.

Some debaters weary and confuse their hearers by concealing the end of a line of argument, in order to produce a surprise. The surprise usually falls to the speaker. He finds that he has done one of two things: either he has offended the audience which he has tried to deceive; or he has failed to convince them, because they have been unable to carry in

mind evidence and inferences the bearing of which he has purposely concealed. In formal debate a team makes this mistake when it holds back its case, or one of its main arguments, in order that the opponents may be taken by surprise late in the debate, when they have no time to make adequate refutation. The result is to create prejudice against the speakers on account of their evident lack of the spirit of fair play, and to create doubt as to the strength of an argument which they dare not present or announce at the start.

A book on debate advises a speaker to hold his fire till the end and surprise his enemy with new arguments, to which reply is thus impossible. The book commends this "wise stratagem" to an intercollegiate debater, since he thus "deprives his opponent of any chance to reply, and so may hope to conceal his deficiency and make his own proof seem plausible." Such advice is not in keeping with that fine sense of courtesy and that desire for truth which governs the highest type of the gentleman and the scholar.¹

The whole case in its outlines should be presented at the first opportunity. Exceptions happen when the audience is so prejudiced against the speaker's cause that to announce the intended conclusion would be to lose a fair hearing; but such cases are not common.

Lincoln's law partner, Herndon, relates many incidents showing Lincoln's belief that honesty in debate is the best policy. In one case at law Herndon introduced a sham plea so devised as to deceive the opposing counsel and attain the desired end. When Lincoln saw the subterfuge, he asked, "Is this seventh plea a good one?" Herndon replied that it was. "But," asked Lincoln, "is it founded on fact?" On receiving a negative answer, Lincoln said: "Had n't we better withdraw that plea? You know it's a sham, and a sham is very often but another name for a lie. Don't let it go on

¹ Regarding the persuasive value of fairness, see also the preceding chapter.

record. The cursed thing may come staring us in the face long after this suit has been forgotten.”¹

Delivery. It is true that matter is more important than form. The first necessity is something to say, without which all the graces and intonations of a polished speaker are merely ridiculous. As a debater becomes absorbed in his subject, he wishes that he could think of nothing but convincing that particular audience of the truth as he sees it. He will find writers who advise him to do so; who declare that, given substance and enthusiasm, delivery will take care of itself. Unfortunately this is not true. Many a deep thinker is unable to keep his audience awake an hour because he cannot make himself heard or is intolerably monotonous in his delivery. Other men of smaller intellects and with much less to say fascinate large audiences because they use their voices correctly, enunciate clearly, modulate their tones, make their transitions with care, emphasize important parts, look into the eyes of their hearers, use gestures which seem natural, and carry themselves well on the platform. Years of study on matter may be thrown away, as far as a particular audience is concerned, because the speaker has neglected a few months of study on form.

Five methods of delivery. There are five ways of delivering a speech: (1) To write it out in full and read it; (2) to write it out in full and commit it to memory; (3) to write out and memorize the opening and closing sentences, and other especially important parts, leaving the rest for extempore delivery; (4) to use an outline or a brief which suggests the headings in logical order; (5) to extemporize the whole speech, appearing before the audience without visible manuscript or notes.

For debating, the first and second methods are ineffective because they preclude that quick adaptation to opposing

¹ See *Abraham Lincoln*, by William H. Herndon and Jesse W. Weik, vol. I, p. 326. (D. Appleton & Co., 1896.)

contentions without which a discussion can hardly be called a debate. Furthermore, unless this memory method is carried through to the end with great care, it is a lamentable failure. The least hitch, as a speaker gropes after words, betrays the method. It takes a master to conceal this art. The third method — that of memorizing important parts and adapting the rest to the occasion — is better suited to debating. The difficulty comes in making graceful transitions from memorized parts to extemporized parts; the contrast is usually too striking. For this reason the fourth method — the use of an outline or brief — is more promising. If a speaker is familiar with his notes, if they suggest to him precisely the ideas he wishes to express, and if those ideas are arranged in logical sequence, he need make no awkward pauses or contrasts. But notes, even when they are well managed, detract somewhat from the effectiveness of delivery.

Most successful of all — other things being equal — is the speaker who extemporizes his whole address, without even a scrap of paper between himself and his hearers. This is the ideal method. “If once they see that he is partly relying on the stilts and leading strings of his memoranda, their sympathy languishes. It is like the difference between a man who walks a tight-rope boldly, trusting wholly to his balance-pole, and the man who is looking about every moment for something by which to steady himself.” But a word of warning may be necessary. Let us not mistake mere volatility for effective speaking. A ready tongue, with its temptation to carelessness of preparation and redundancy of expression, is not always a blessing. Real power in extemporaneous oratory comes only with long years of exacting practice in written work.

Even a speaker who has followed the extempore method with some success feels more confidence if he has adequate notes in his pocket. They have been compared to life-preservers under the berth, ready for use if the ship is sinking.

Voice. A voice that can be easily heard, that is flexible, full, and of pure quality, is itself persuasive. Although we cannot here study the methods by which a good voice may be developed and sustained, we may note in passing that there are few people who breathe correctly and whose voices are free from serious defects and limitations. It might conduce to the comfort of the public and to the surprise of speakers if they could have their own tones returned to them through a phonograph. A sensible kind of voice culture is essential to effective public speaking. Modulation in pitch is quite as important as purity in quality, and both can be improved by a speaker who makes singing a part of his preparation. Singing will also help to cultivate a habit of deep breathing, without which a speaker tires the upper part of his chest and contracts the throat muscles. The throat must be open to allow the unrestricted passage of the tone. It is strange that people who would not for a moment consent to sing solos in public, venture cheerfully upon tasks in speaking for which they are equally unqualified. Every speaker should follow conscientiously a series of vocal exercises prescribed by a competent instructor for his special needs.¹

Enunciation. A common fault is slovenly enunciation. When the size and acoustic properties of a hall are such that a speaker must take special care to make himself heard, nothing helps more than distinctness of utterance. This is impossible for a man who will not open his mouth and use his lips, throw his vowel sounds forward and pay due respect to every consonant. Many people swallow their vowels and ignore their consonants. Especially flagrant is this fault at

¹ See Part I of I. L. Winter's *Public Speaking* (The Macmillan Company, 1912). Also S. S. Curry's *Mind and Voice* (Boston Expression Company, 1910) and Gordon and Lyman's *Vocal Expression in Speech* (Ginn & Co., 1912). The Introduction to W. B. Mitchell's *School and College Speaker* (Henry Holt & Co., 1901) contains practical and sensible suggestions concerning the development of correct habits of breathing, pronunciation, gesture, and emphasis.

the ends of sentences, which as a rule should deserve greatest emphasis. Earnest, sustained practice in enunciation is necessary. It may be exaggerated in practice, with no danger of exaggeration in public. The real danger is that in the heat of a public speech a man will forget his months of practice and go back to his old habits. Whatever one wishes to be on the public platform, that he should be every day of his life. Nothing but habitually audible and clearly articulated speech in daily conversation will make distinctness in public speaking sure. This element of success — like erect carriage, graceful movements, pure tones, and pure language — must not be set aside with cap and gown to be worn on special occasions.

Position. A speaker should take care lest his bearing on the platform distract attention from what he says. An otherwise effective speech may seem ridiculous because of personal eccentricities which could be suppressed by proper training. Every speaker has his own tendencies to awkwardness. What these are he should learn from any one who is willing to speak frankly about them, and he should then set himself resolutely to overcoming them by persistent exercise of the will. He must ignore the common advice to forget himself and think only of his subject and his audience, until discipline has made it safe for him to do so.

Gestures. In debating, if gestures come in response to the thought or feeling of a man as he speaks, and if these appear natural to the audience, well and good, even though they are not labeled and depicted in books on gesture. So many fantastic tricks have been performed in the name of elocution that audiences are quick to detect and ridicule anything which does not seem to be spontaneous. If a speaker is not prompted to make gestures, it will do him no good to hunt them up in books, make a selection, and attach them at intervals to his speech. Let him get at the cause of his lifelessness, which may be embarrassment, or lack of preparation, or want of

interest in his subject. With sufficient life in the speaker, gestures will come of themselves. After that, criticism should be mainly corrective. If, for instance, a speaker takes naturally to the device of emphasizing everything with one finger, the fault should be corrected before it becomes a habit. It is often said that anything which is natural is effective. This is not true. A speaker may be naturally awkward and ridiculous. The truth is that whatever gestures appear to the audience naturally good at the time are effective; but all gestures that are naturally bad should be corrected or eliminated.

Reading quotations. When the argument may be strengthened by the exact words of an authority, to read a short quotation directly from the book or paper is quite as effective as to deliver the quotation from memory, provided — and this proviso is important — provided that the speaker knows how to read. He must decide before the debate whether he will read or trust to memory. If he decides to read, he must familiarize himself with the text so that he shall not stumble in reading, or lose the eyes of his audience for more than a second or two; he must note the words he wishes to emphasize; and he must mark unmistakably the part to be read, so that he shall find it without delay, and so that he shall not read a word more than is necessary for his purpose. Provided that he reads well, the very fact that the auditors see before them the exact source of the evidence may help in conviction. Especially is this true if an authority, a Supreme Court decision, for instance, is bandied back and forth between the sides. If there is a dispute as to the statement of a given authority, the debater who reads the exact words from their original source gains credence. But first of all he must know how to read.

Practice in delivery. When you have the brief of your case well in mind and the evidence collected, stand before an imaginary audience and deliver your argument. Do not

allow yourself to break down; go through to the end as well as you can, just as you will be obliged to do before the actual audience. If the appropriate phrase refuses to come, supply something and go on. At the close of your speech go back and study out the words or phrases which failed you in delivery. Do this two or three times a day, with watch at your side, until you can get the substance of your argument safely and cogently within the time limit. Then find somebody who is good enough to listen to you, and talk to him. Encourage him to ask questions if your language is not clear, and to offer objections if your argument is not convincing. Such practice will help you to cultivate a conversational as opposed to an oratorical style; it will help you to attain a clearer phrasing and one more responsive to your thoughts; and it will suggest ways for strengthening your argument.

Marking transitions. A delivery which takes due account of the structure of a speech is a great help to an audience, especially in argumentative discourse. The steps from part to part of the introduction, from the introduction to the proof, from one issue of the proof to another, and finally from the proof to the peroration, should be taken by means of well-marked transitions. In addition to the rhetorical possibilities already considered, there are at least seven ways of indicating these transitions: namely, by corresponding changes in rate of delivery, in tone, in volume, in position on the platform, by emphasis, by gestures, and by pauses. Perhaps the most serviceable and least used of these devices is a noticeable pause, during which the speaker deliberately changes his position.

Emphasis. A debater should consider what parts of his proof he must drive home at any cost and what are the means at his command. He may be sure that the parts which deserve emphasis will not be singled out by the audience from a monotonous delivery. He must do this important work for them by uttering the capital words with marked deliberation,

sometimes by repeating them, by stopping abruptly and pausing in the right places, by letting his gestures fall on ideas that call for special attention, and by dropping his voice or increasing its volume and the rate of utterance. These possibilities are worth studying in addition to the purely rhetorical means. But in quoting authorities or the words of opponents, a debater should take care not to misplace the accent, thus causing the author of a quotation to appear to say what he never intended to say. This is sometimes called the fallacy of accent. Although it is not strictly a fallacy, it is to be condemned along with all other attempts to deceive.

A final word about debating. The most serious objections to formal debating, as it has been carried on in recent years, are that it is too artificial in its rules and consequently too stereotyped in results; that its aim is victory rather than the pursuit of truth; that, consequently, debating is characterized by trickiness and insincerity, and is not the preparation which it ought to be for the real contests of the life beyond Commencement. One result of this formalism is said to be lack of sincerity and enthusiasm on the part of the speakers which adds to the feeling of unreality. Then, again, the question is often so cleverly phrased, so vague and so complicated, that the time which should be spent on vital issues is wasted in quarrels over the meaning of terms. Still further to preclude the possibility of real debating are the memorized speeches which render impossible that effective adaptation to opposing speakers, that running rebuttal, that one feature which distinguishes the debater from the elocutionist. And when, after an hour or two of such lifeless discussion, a team of undergraduates arrives with remarkable ease at sweeping conclusions, and "proves beyond the shadow of a doubt" a proposition which is still puzzling statesmen, the whole affair seems to some people little short of ridiculous. These appear to be the main charges brought against intercollegiate debating.

What shall we do about it? In the first place, we should lead up to debating by a more sensible kind of instruction in speaking. The formalism, the unreality, the difficulty of producing a "head-on collision," which are complained of in debating, are due in part to the traditional elocution. Refutation, which is the life of debate, is not the recitation of memorized speeches, consisting for the most part of strings of quotations, delivered in supreme disregard of the equally automatic declamations of the "opposing" speakers. Such performances should not parade under the name of debating. They are not even preparation for debating. Any training which develops independent and sound thinking and the faculty of phrasing and presenting thought before an audience prepares a man for the work of refutation; and when to this general training he adds an accurate and wide knowledge of the subject for debate, regardless of what material he may expect to use for a given speech, he has acquired the essentials of effective refutation. To these essentials declamation contributes almost nothing.

Another condition which tends to produce academic and unprofitable discussions is the practice by which one institution submits the question and leaves the choice of sides to the other. This prompts students who are looking for victory rather than a profitable debate, to phrase a question cunningly and ambiguously, so that it shall appear to be evenly balanced until the choice of sides has been announced. Meantime the institution which has received this complicated question is trying to puzzle out its meaning, forbidden by the unwritten laws of good form to take the sensible course of asking the framers for an interpretation. The resulting contest is usually a mere quibble over the meaning of the proposition, which taxes the patience of the hearers. Thus the opposing forces often contrive to keep so far apart that no effective exchange of volleys is possible. One remedy for this evil is the round-robin league. Each

of the institutions in such a league puts two teams into the field, one to debate on the affirmative of the question at home, the other on the same evening to debate on the negative of the question at one of the other institutions. This plan removes the chief motive for submitting unbalanced and trickily phrased propositions. Another remedy, as we have suggested above, lies in the exchange of briefs similar in content and purpose to those sometimes required in courts of law and college courses in debating.

The following plan will eliminate most of the "unreal" conditions of intercollegiate debating. Let the contest be held in a city other than those in which the contesting colleges are located. Let the speakers take sides only in accord with their convictions. Instead of leaving the decision to three judges, let the entire audience vote at the close of the debate, and let their judgment be rendered on the merits of the question rather than on the merits of the debate. Let the speakers be governed by no formal code of ethics, prescribed especially for intercollegiate debates, but leave them free to use any methods of carrying conviction that seem to them fair. This plan will not be satisfactory to those whose main object is getting a decision, but it will more closely approximate the conditions of public speaking in "real" life than any of the traditional forms of academic debate.

Most important is the insistence on higher ideals than the "win-at-any-cost" motives which have often brought debating into ill-repute. Throughout our present treatment of the subject, from the phrasing of the proposition to this final word, we have been mindful of these objections, and we have kept constantly before us ideals which will lift debating far above the pettiness and formalism and insincerity which are rightly condemned.

As a final safeguard against all that is most objectionable in formal debating, we urge students to refuse — even for the sake of practice, even for the supposed honor of the col-

lege — *to speak against their convictions*. This is a matter of grave importance. Lack of sincerity and earnestness on the part of the speakers is due not only to lifeless practices of elocution, but as well to ignoring the interests and beliefs of the individual speakers. A speaker who, even in a formal contest, endeavors to convince an audience of the truth of what he believes to be false engages in an undertaking of doubtful morality. Here is the dilemma. If he simulates sincerity and earnestness, he is deceiving his hearers, emulating the most contemptible speakers in public life, preparing to swell their ranks. If he does not even appear to be sincere and earnest, he lacks the primary requisites of a persuasive speaker, and becomes the lifeless kind of debater of whom we hear complaint.

At once the objection arises that it is good training for a person to study both sides of a question. Certainly it is. By all means let a debater earnestly study the side of the question in which he does not believe; let him be honest and diligent in his efforts to find all that can be urged against his own beliefs, in his efforts to get the point of view of "the other fellow"; but let him decline to stand before an audience and attempt to convince them of the truth of statements which he believes to be false.

It is said, further, that the prevailing methods in classroom and intercollegiate debates offer practical difficulties in the attainment of this ideal. If so, let the methods go. Let us not sacrifice the ends for the sake of the means. If the rules of the game prevent the attainment of its supreme objects, let us discard the rules. The supreme objects of argumentation and debating are to train citizens who shall be, *first*, keen and sound and enthusiastic thinkers, *second*, leaders of men, fearless, able, devoted, but, above all, honest.

EXERCISES FOR THE TWELFTH CHAPTER

I. Let the class bear these questions in mind as they listen to a formal debate, and let each student hand in a written criticism at the next meeting of the class:—

1. Does the Introduction, as given by the first speaker, embody the essentials set forth in the second chapter? Does the Introduction, as given by the first speaker on the Negative, embody these essentials?
2. Are the issues sufficiently comprehensive? Are they mutually exclusive? Are they set forth in the best order?
3. Is the entire case of the Affirmative consistent with the introductory interpretation of the question?
4. Are there any unsupported assertions?
5. Are the citations from authority open to any of the objections enumerated in the third chapter?
6. Are there any fallacies of Hasty Generalization? False Analogy? Causal Relation? Begging the Question? Arguing beside the Point?
7. In what instances do the speakers exaggerate the importance of their evidence?
8. Are there any opposing arguments ignored by the Affirmative? by the Negative?
9. On what points is the refutation wholly inadequate?
10. In what parts of the refutation is the bearing obscure? In what parts is the position questionable?
11. Are there any insignificant points upon which time is wasted.
12. Are any dangerous admissions made by either side?
13. Could either case as a whole, or any single speech, gain in effectiveness by a rearrangement of parts?
14. Is there evident lack of team-work on either side?
15. What opportunities are neglected by each speaker for adapting his work to that of the preceding speaker?
16. What is the chief weakness of the Introduction of the second speech on the Affirmative?
17. Does the last speaker on each side give an adequate summary of the whole case?
18. Are there any chances for persuasion which the speakers fail to employ?

II. Decide upon questions for informal discussion relating to matters not unfamiliar to the class. Announce the subjects several

weeks in advance. Let the discussion be as spontaneous as possible and unrestricted by the conventions of formal debate. Students should be warned that *informal* does not mean *unprepared*. The speeches may be unprepared as to phrasing, but sufficient evidence should be collected and sufficient thinking done before the class meets for discussion. Have it understood that any one may interrupt a speaker to question him if he is obscure in language, or to correct him if he is inaccurate in statements of fact, or to ask for further information. Let one of the class preside and observe strictly the rules of parliamentary procedure. Such exercises are better training for debate than the ordinary reciting of memorized declamations.

III. Criticize the following opening for an intercollegiate debate:—

CITY MANAGER PLAN OF GOVERNMENT

First Affirmative Speech

We are debating to-night the long-neglected question as to how to govern our cities. Progress and efficiency is the slogan of the day, and yet in the government of our New England cities we are still using the old, cumbersome, inefficient, wasteful form which came into vogue in the early forties of the last century. In the business world, the old partnership has given way to the modern corporation with the small board of directors, and a business expert at the head. In the school department of progressive cities, instead of the large unwieldy school commission of former days, we have a small school board and an appointed expert, as superintendent, to manage the whole system. Yet for our city governments as a whole, these lessons in efficiency have meant nothing. The old type of one or two councils and a mayor, the old system of so-called checks and balances, copied from the national constitution, still continues to muddle our city governments and assist the petty politicians to plunder and obstruct. English, and especially German cities, by reason of their good government are the pride of these nations. But as James Bryce said, "The government of cities is the one conspicuous failure of American politics." — Brown University *v.* Dartmouth College, March 24, 1916.

APPENDIX I

SPECIMEN OF ANALYSIS

INTRODUCTION OF A BRIEF FOR A DEBATE¹

“RESOLVED: That within a year the United States should turn the Philippine Islands over to the Filipinos for independent self-government.”

- I. The Philippine Independence Commission appealed to both political parties to make, in the national conventions, a promise of independence to the Filipinos.
- II. Mr. Taft and other prominent men feel that we should hold to the present policy of indefinite retention of the Islands until the Filipinos have reached a condition in which they can safely be trusted with their own government.
- III. Mr. Taft has stated that though the traditions of the American policy originally justified the anticipation that the United States would refuse to govern the Islands as a dependency, yet to withdraw now would be to subject them to a much worse fate than to have turned them over to Spain.
- IV. Since 1898, therefore, the discussion has been as follows: —
 - A. One side to this discussion has stood for the theory that we are a superior people, that the Filipinos are inferior; that it is our duty to keep absolute control over them, teach them our language, our religion, our science, and bring them to our level, giving them, from time to time, such rights as we think them fitted to use wisely.
 - B. The other side has stood for the freedom of the Filipinos on the basis of their record in the war with Spain, on the theory that they have for some time been able to govern themselves, and on the strength of President McKinley’s remark that “Forcible annexation, according to our American code of morals, would be criminal aggression.”

¹ Adapted from a brief by Sidney Curtis, in *Specimens of Exposition and Argument*, Percival and Jelliffe. (The Macmillan Company, 1908.)

V. The question then arises, How soon ought the United States grant the Filipinos their independence and withdraw from the Philippine Islands?

VI. The affirmative contends

- A. That the Filipinos are for the most part a civilized people.
- B. That in 1898 the Filipinos were capable of satisfactory self-government.
- C. That within a year they could get back the conditions of their self-government of 1898, or could obtain a better government than that of 1898.

VII. The negative contends

- A. That a large percentage of the Filipinos are uncivilized.
- B. That the Filipinos are not capable of administering independent self-government.
- C. That the present form of government extended indefinitely, is more to the advantage of the Filipinos in their endeavor to establish independent self-government than any form that could be established within a year.

VIII. Independent self-government is complete government by the Filipinos without the exercise of a protectorate by the United States except in so far as to prevent deliberate land grabbing by outside nations without just cause.

IX. By satisfactory government, we mean a government, like the government of civilized nations, which will

- (a) Establish law and order.
- (b) Protect private rights.
- (c) Provide for general education.
- (d) Promote necessary internal improvements.
- (e) Guard commercial interests.

X. It is admitted

- A. That the United States is, at this time, responsible for the internal and external affairs of the Islands.
- B. That in or out of the Islands the United States could protect them against foreign aggression.
- C. That independence should be granted to the Filipinos if they are capable of exercising it wisely.

XI. Moral and international questions concerning the assumption of the Islands by the United States and the question of the commercial value of the Islands to the United States are waived.

XII. Through the definition of "satisfactory self-government,"

and the admitted matter which places the responsibility of the United States and fixes the basis upon which independence ought to be granted, we reach the following special issues:—

- A. Will the Filipinos, in a year, be capable of exercising a satisfactory government, in that
 - (1) Can they establish law and order?
 - (2) Can they protect private rights?
 - (3) Can they provide for education of the people?
 - (4) Can they provide satisfactory internal improvements?
 - (5) Can they guard their commercial interests?

APPENDIX II

SPECIMEN OF ANALYSIS

PART OF AN OPENING SPEECH FOR THE AFFIRMATIVE IN AN INTERCOLLEGIATE DEBATE¹

“STATE Boards of Arbitration with compulsory powers should be established throughout the United States to settle industrial disputes between employers and employees.”

Industrial prosperity is in our day an essential factor of national progress, and industrial prosperity demands industrial peace. Never in the history of our nation have the interests of labor and capital appeared so contradictory; never have the interests of the general public been more dependent on the harmonious coöperation of employers and workers. Yet never have industrial disputes been so extensive, so intensely harmful, so prophetic of disaster to come. The past decade has been rife with labor troubles. Last winter one strike alone, the great coal strike, inflicted on all classes and on all sections of the country almost incalculable suffering and loss. During the month just passed, lockout after lockout, strike after strike, has repeatedly blocked industrial progress in nearly all parts of the United States. This evening’s paper reports new labor troubles. In fact, there is scarcely a person here to-night who has not felt personal injury from recent protracted labor troubles.

Accordingly, we propose, as a practical means for the mitigation of industrial warfare, that state boards of arbitration with compulsory powers be established for the settlement of industrial disputes between employers and employees.

It is our right and our duty, in accord with good sense and good authority, to define the terms of our proposition, and to give the question the interpretation it shall have for this debate. The first definition is simple. State Boards of Arbitration, as shown by those already in existence, are tribunals, generally representative of employers and employees, established under the laws of the state

¹ Opening speech of Bates College in a debate with Boston University. The judges agreed that this analysis won the debate for Bates College.

by its legislature, to which industrial disputes may be referred for settlement.

But the question reads, "State Boards of Arbitration with compulsory powers." Now, in regard to the indefinite phrase "with compulsory powers," which next needs interpretation, one point at least is certain, — that phrase, deliberately placed next to the subject of the proposition, can modify only the subject. The complete subject is "State Boards of Arbitration with compulsory powers." But the phrase itself is vague and elastic. All such terms it falls to the Affirmative to interpret. Accordingly it is for us to state at once, in all fairness to our opponents, with what compulsory powers we would invest the boards we propose to establish. But we do not wish to take unfair advantage of our privilege of interpretation. We have therefore been guided by a careful examination of official reports, the laws of states, and the writings of such eminent authorities on labor questions as the Honorable Carroll D. Wright, United States Commissioner of Labor. We make our interpretation in perfect harmony with all the instances we have thus been able to find, where the phrase "with power to compel" has been used in connection with State Boards of Arbitration. Many of these instances will be cited later.

We mean by "compulsory powers," that it shall be the duty of the board to investigate the facts concerning all labor troubles of importance, that it shall have power to intervene upon its own initiative within the limits laid down by law, that it shall have the power to compel the attendance of witnesses, the power to compel the submission of books, documents, and other relevant testimony, and that it shall have the power to call upon mayors and other local officers to furnish, as soon as possible, information concerning labor troubles.

Let the whole question, then, be clearly understood once and for all. We advocate the establishment of impartial tribunals by all the states for the purpose of bringing to a close such disagreements between labor and capital as seem beyond the likelihood of peaceful, speedy settlement by the parties directly concerned. We would invest these boards with the full powers essential for rendering intelligent judgments; and we would require them to make public the results of their investigations whenever public welfare demands it. Should such boards be established in all the United States? This is the question for debate.

But before we can come safely to the main issues which this question involves, we beg leave to give warning against a possible mis-

interpretation. We do not maintain that the proposed boards *will* cure all industrial troubles; bring all these diverse dissenting forces at once into harmony. Look on your programmes. The question there is not the absurd one that State Boards of Arbitration *will* settle *all* industrial disputes, nor can the proposition for this debate be so tortured as to force us to take that manifestly untenable position.

But there are still two points of admitted matter which might unprofitably occupy our time. First, we agree with the highest authorities on all labor questions, and, we presume, with our opponents, that conciliation — namely, the friendly conference of the parties concerned — is the ideal method of settling industrial troubles, and should first be tried in every case. Indeed, the question presupposes every attempt at conciliation, for the word *dispute* indicates the existence of a conflict apparently beyond the likelihood of settlement by conciliatory methods. Second, it must not be assumed that our proposition is a blow at trades-unions or other organizations of labor. On the contrary, we favor them; for they often give rise to the feeling of collective responsibility, which aids the boards in effecting peaceful settlement. Nor do we deny the right of labor to strike; we are merely endeavoring, as will be seen, to gain the good and eliminate some of the evil of the action of organized labor.

We have asked your patience through this long interpretation and narrowing of the question, in order that you and our opponents might have no doubt as to the clash of opinion in this debate. Three questions still remain on which the opponents and the advocates of State Boards of Arbitration may well take issue.

First, is any action demanded?

Second, should it be by the state?

Third, is the plan of state action proposed by the Affirmative the best one?

Meeting this threefold issue, the Affirmative propose to prove: —

First, that there are not to-day, throughout the United States, methods permanent or at all effective for the settlement of industrial disputes.

Second, that the public, through its representative the state, should establish some means for the purpose of settling such disputes.

Third, that the most effective and desirable method of state action is the establishment of such boards as we have now carefully defined.

APPENDIX III

SPECIMEN OF ANALYSIS¹

PART OF AN OPENING SPEECH FOR THE NEGATIVE IN AN INTERCOLLEGIATE DEBATE

"RESOLVED, that the United States Government should inaugurate a movement to bring about reforms in the Congo Free State."

The gentleman has aroused our sympathy by citing alleged cruelties in the Congo Free State. We also deplore the grave wrongs which the simple and barbaric people have suffered in all parts of Darkest Africa. We are not one whit behind the Affirmative in our desire for the happiness and civilization of the Congo people. We certainly sympathize with the generous motives and humane purposes of the historic State of Massachusetts and especially of the Congo Reform Association, whose official head is one of the most progressive and public-spirited educators in progressive and public-spirited Massachusetts. And with any wise and safe movement which is clearly the most effective one for the relief of any who are suffering injustice, we most heartily sympathize.

But this very sympathy should warn us against hasty judgment. When a great nation, with grave and extensive responsibilities throughout its own hemisphere, proposes to interfere in the domestic affairs of a sovereign nation in the other hemisphere, thus abandoning at once its traditional policy, it behooves that nation to consider thoroughly and without passion the exact nature of such action. Therefore we must make absolutely sure of the precise scope and meaning of the proposition advocated by our opponents.

But at the very outset the advocates of this proposition must face a very strong presumption against any such action, for on the 20th of February last, in a letter to Congressman Denby, of Michigan, Secretary of State Root, the official diplomatic head of this Government, said that it is impossible for this Government to

¹ Opening speech of Bowdoin College in a debate with Clark College at Worcester, Massachusetts.

inaugurate any such movement. To overcome the presumption created by this dispassionate official statement, the Affirmative must prove that the declared position of this Government is wrong.

To do this they must explain at the very outset, in concrete terms, the exact nature and extent and force of this movement. Then, in defense of this movement, they must show first, that the Congo situation as a whole warrants the interference of this Government. Nay, they must do more, they must show, in the second place, that the evidence against the Congo is so authentic, so unanimous, so unprecedented, and so hopeless as to *demand* our intervention. Third, they must prove that their definite movement will be more effective than any movement already inaugurated, more speedy in operation and more permanent in results. Fourth, they must prove, contrary to the emphatic legal opinion of our highest authority on our international relations, that their exact movement can be legally inaugurated, and, fifth, that it will be expedient.

On the other hand, we admit that in about one quarter of the Congo territory some cruelties have occurred. But we contend that the United States Government should not inaugurate this movement, because — first, the evidence against the Congo does not demand the intervention of the United States Government; second, the Congo Government itself gives assurance of the necessary reforms; third, the Congo situation as a whole does not even warrant the intervention of this Government; fourth, the United States cannot legally inaugurate this movement; and fifth, it would be highly inexpedient, both as regards our domestic interests and our responsibilities to the weaker nations of our own hemisphere.

First, then, does the evidence of my opponent demand the intervention of the United States Government?

[*Body of the speech omitted.*]

In closing, let me ask our friends of the Affirmative: Will you show us evidence sufficient to demand this country's intervention? Will you show that this movement will be more effective than any already under way, more speedy in operation, and more permanent in results? Will you show that the Congo situation as a whole even warrants the intervention of this country? Will you show that this movement would be legal? And will you show that it would be expedient?

APPENDIX IV

SPECIMEN OF ANALYSIS

INTRODUCTORY REMARKS

IN THE SWARTHMORE COLLEGE-FRANKLIN AND MARSHALL COLLEGE DEBATE, MARCH 3, 1916

“RESOLVED: That an international police force should be established to enforce international treaties and agreements and to preserve international peace.”

With the nations all about us engaged in what has been characterized as the greatest war in history, we Americans should be busying ourselves with the study of what the world should do at the close of this war. How can the repetition of such a war be averted? It is not only our duty as a neutral to aid in bringing about a settlement among the belligerents, but it also becomes our task to join the nations of the world in trying to determine why international law and agreements were unable to prevent this war. We should attempt to discover what is lacking in the international organization, why it is unfitted to avert warfare, and how it can be rendered more efficient in performing the task of bringing about peaceful settlement of difficulties between nations. It is with the sense of duty, with the desire to aid in the solution of international difficulties that many prominent students in international affairs have advocated the establishment of an international police force. Believing that these gentlemen have advocated the best among several plans proposed by students of the question, we will undertake to-night to show that the police force plan should be established.

The great wars of the nineteenth century were followed by the calling of the first Hague Peace Conference at the end of that century. This conference was a voluntary union of the nations and out of it grew many principles of international law. Yet that law was unable to stem the tide of the great Anglo-Boer and Russo-Japanese wars so that after these wars a second Hague Conference was called

in 1907, which resulted in still more agreements as to international law. That very law, the work of these two great conferences, has fallen before the rush of the nations into the great war of to-day.

What is to follow this war? Can we not take up the work where The Hague left off and put behind the agreements of The Hague what should be behind any law, the executive power of force? In the words of John Bassett Moore, "the most striking imperfection in the international systems of to-day is the lack of a common agency for the enforcement of law." With the close of this war we should take up the duty of perfecting the system of providing for the enforcement of the law of The Hague. We propose an international police force to be added to the functions of The Hague.

By an international police force we mean an "armed concert of the forces of a group of nations to be used against a recalcitrant signatory." That is, that the nations of The Hague shall agree to arbitrate their difficulties and that they shall also agree to combine their forces against any nation in the agreement which goes to war without arbitration and, furthermore, that the signatory powers shall use their forces to enforce the decrees of the Court of Arbitral Justice. We believe that the gentlemen of the Negative will concede us that there is a need of some agency to preserve international peace and hence that it shall be our burden to prove that the plan we advocate is one which should be established. We cheerfully accept this burden of proof.

I shall attempt to prove that the principle is sound. Our second speaker will attempt to prove that the plan is possible, and our last speaker that the plan will preserve peace.¹

¹ The entire debate is reported in the *University Debaters' Annual, 1915-16.* (H. W. Wilson Company, White Plains, New York.)

APPENDIX V

SPECIMEN OF ANALYSIS

ADAPTED from an article in the *School Review*, February and March, 1905. The argument was written to illustrate the method of analysis. The formal processes are too evident for rhetorical excellence; but for that very reason the argument is more useful to beginners than a masterpiece which has the art to conceal its methods. The technical terms of argumentation are used to aid the student: they are usually avoided in well-written arguments.

“Should the elective system be adopted in the public high schools of the United States?”

INTRODUCTION

The contemporary discussion concerning the elective system for public high schools suggests the exhortation of a negro cab-driver. Glad of the lightning which showed him the road, but Introductory Paragraph. terrified by repeated peals of thunder, he cried, “O Lord, if it’s all the same to you, send us more light and less noise.” It is only with the hope of revealing some light on this problem that one is warranted in making more noise.

HISTORY OF THE QUESTION

For nearly a century the elective system has been pushing its way into our colleges and schools. In 1825 elective courses were offered to the upper classes of Harvard College. Since then the elective principle has been working down to the lower grades; in 1846 to the Senior and Junior classes of Harvard College, in 1867 to the Sophomore class, in 1884 to the Freshman class. The influence of this action by Harvard College was inevitably to send the elective system down to the upper classes of secondary schools; within a few years it has reached all classes in the public high schools of Boston

and other cities. Down, down it has gone, through college, high school, and grammar school, until, as Dean Briggs says, "not even the alphabet can stop it."

ORIGIN OF THE QUESTION

The growth of this free-choice principle — fixed quantity and quality of work with variable topic — has no doubt been due largely to the growing diversity of knowledge, to Definition.

the breaking down of the old ideal of the scholar, to the need of specialization, and to the opening of educational opportunities to all the people. Whatever the causes may be, the elective principle is established, its benefits are recognized, and all are agreed that at some place in our educational system the studies should be wholly elective. But at what point? The question is pertinent whether in escaping the Scylla of total prescription we are not in danger of being wrecked upon the Charybdis of total election.

Whether free choice should begin in the first year of the public high school course is a question concerning which there has been much writing, some thinking, and a little scientific investigation. Many individual opinions have been given; the arguments on each side have been partly stated, some evidence has been presented, usually without consideration of its full bearing on all phases of the question; but has any one sought to discover the truth through bringing together all the arguments on both sides and viewing them in the light of facts? I have found no such attempt. My present purpose is to make that attempt, first of all through reducing the arguments of both sides to their lowest terms, in order to see in brief compass just what are the vital differences of opinion; and, second, through considering those issues one by one in connection with investigations concerning the working of the elective system in the United States.

THE NEGATIVE CONTENTIONS

First, then, what is said against the elective system for public high schools. The arguments may be considered conveniently in four main divisions: the first concerning the ability of high school pupils to choose; the second concerning possible compromises between complete election and complete prescription; the third concerning the effect of each system on teachers and principals; the fourth concerning the relative moral worth of the old system of prescription and the new system of election.

The first of these arguments is that those in charge of the schools

can choose better for all than can each individual pupil for himself. This is held to be true for three reasons: (1) there are certain studies which are essential for all pupils, of which Latin, algebra, geometry, and English are often urged; (2) pupils will not of their own choice elect these necessary studies; (3) pupils will choose foolishly, for they will elect easy courses, or those for which they are not prepared, or those taught by favorite teachers, or those of little value, or disconnected courses.

As a second main argument, two compromises are proposed, either of which is held to be superior to the elective system in its entirety. Since there are certain studies which constitute an essential foundation, and since pupils, left to their own choice, will neglect these studies, (1) a group system or (2) a programme of partial prescription seems to many people far better than "a frolic of unbridled fancy." Such is the name applied to the elective idea by an extreme opponent who refuses to call it a "system."

Of those who favor partial prescription, some would have the greater part of school work required and allow the pupil to choose only the "fringe." Others would establish a system of restricted choice, requiring the pupil to take at least one study from each of the great divisions of human knowledge, — say language, history, mathematics, and science. The other suggested compromise, called the group system, offers several complete programmes of studies, one of which the pupil must elect; but the studies within each group are wholly prescribed. The argument in favor of this system is that each pupil, whether preparing for college, for technical school, or for business — whether wishing a classical, scientific, or commercial course — can elect one well-planned group of related studies. Many believe that thus the benefits of the elective system are obtained and its evils eliminated.

A third argument opposed to the elective system concerns teachers and principals. It is held that this system requires abler, more enthusiastic teachers, more competent and sympathetic principals, stronger men and women; that, further, the system demands of them more work. On this point, other friends of prescribed study urge that the free-choice system is a device to evade the most difficult work of teaching, a lazy, *laissez-faire* policy; for it tends to relieve teachers of the very pupils whom they have most difficulty in forcing through a prescribed curriculum.

A First
Negative
Contention.

A Second
Negative
Contention.

A Third
Negative
Contention.

A fourth main argument is that the prescribed system is of greater moral worth. "What a boy likes," it is said, "is not always best for him," and "backwardness in any subject shows the desirability of more training at just that point."

A Fourth Negative Contention.

The drudgery of enforced tasks and the discipline in conquering distasteful subjects is more valuable than any training in free choice, and only prescribed work cultivates habits of application, thoroughness, and accuracy.

These four objections do not by any means comprise all that has been said against the elective system. The arguments have been

A Fifth Group of Negative Contentions. too intricate and numerous, have wandered along too many divergent paths, to be gathered into four folds.

The friends of the fixed curriculum have also urged (1) that most public high schools are too limited in resources — in teachers and equipment — to make possible a programme of free choice; (2) that there are dangers of superficiality in the so-called "enriching" and "broadening" of lower-school programmes; (3) that absolutely unrestricted choice is impossible, since there are so many hindrances to its free play; (4) that the elective system throws upon busy parents an added responsibility, one wholly assumed by school authorities under the old fixed plan; (5) that the elective system cannot put a stop to all educational wastes.

THE AFFIRMATIVE CONTENTIONS

The arguments adduced in support of the elective system may be considered in five groups, the first four of which will be seen to correspond with the first four opposing arguments stated above: (1) those concerning the relative ability of the individual to choose for himself and the ability of the school authorities to choose for all; (2) concerning the proposed substitutes for complete election; (3) concerning the effect of each system on teachers and principals; (4) concerning the relative moral worth of the two systems; (5) concerning several particular needs of public high school education in the United States.

The first argument is that throughout the United States each high school pupil is better able to choose for himself than are school authorities for all alike. This is held true for three reasons: (1) there are no studies which are essential for all pupils; (2) few students omit the subjects most commonly defended by advocates of fixed courses; (3) there are many natural safeguards which together inhibit most of the mistakes of choice feared by the opponents of the elective system.

A First Affirmative Contention.

The second argument is that no other plan is so satisfactory as complete election. (1) The group system (when its only distinct feature is preserved) is too rigid to provide for individual needs, and is an attempt to *enforce* specialization; (2) nor is any system of partial choice so satisfactory as complete election. A few options will not give the necessary advantages. Furthermore, elective and prescribed work side by side are incompatible. Finally, a partially elective plan will not do, for free choice should be given in the first year of high school, that the opportunities may attract grammar school graduates who are deciding whether to enter the high school; free choice should come at this time, when the inevitable errors of training in choice are least harmful.

A third argument is that, under the elective system, teachers and principals are relieved of the most disheartening kind of work, and inspired with a more sympathetic and enthusiastic attitude toward their work and their pupils.

A fourth is the moral argument. The elective principle is considered strongest for building character, because it honors the will, trains in choice, removes the dangers of habitual dependence, decreases the amount of cheating, helps to break the demoralizing educational "lock-step," and aids in developing good citizens. Furthermore, in reply to a common objection, the friends of election say that there are two kinds of drudgery, and the only kind which has moral strength is as surely found where all studies are elective as where all are prescribed.

A fifth group of arguments in favor of the new system deals with several present needs of public high schools in the United States, which, it is held, only the elective system can satisfy. One of these is the need of arousing the interest of parents, and thus securing more sympathetic co-operation of home and school. Another is the need of a system by which our school buildings can be used more hours of each day, and thus be made to accommodate more pupils. A third is the necessity in a democratic community of recognizing the wide diversity in the needs of pupils, and thus providing for all classes of society. A fourth is the need of increasing the percentage of the population that secures a high school education, both by attracting more pupils and by keeping them longer in school. Such present demands, which the people rightfully make of their schools, no prescribed curricula can so nearly satisfy as the plan of complete free choice.

A Second
Affirmative
Contention.

A Third
Affirmative
Contention.

A Fourth
Affirmative
Contention.

A Fifth Group
of Affirmative
Contentions.

THE MAIN ISSUES REACHED THROUGH THE CLASH OF OPINION

Here, then, are the arguments of both sides, set side by side for the sake of comparison. It is clear that the two sides meet with a definite clash on the first four contentions.

The questions, therefore, which must be decided, the main issues on which the advocates of the new system must win or lose their case,

Subordinate Issues: are these four: (1) Whether each pupil can choose better for himself or school authorities for all; this in turn depends on (a) whether there is a common ground essential for all pupils; (b) whether with freedom of choice pupils will avoid this common ground; (c) whether there are a sufficient number of safeguards to prevent unwise choices. (2) Whether the group system or any system of partial election has sufficient advantages to offset those of the elective system. (3) Which plan is better suited to secure the interest, sympathy, effective work, and happiness of teachers and principals. (4) Whether the moral benefits of drudgery, of conquering distasteful subjects, of submitting to authority, acquiring habits of persistence and accuracy, which are claimed for the prescribed system, outweigh the moral worth of training in free choice which is claimed for the elective system. Such are the four main issues.

Above and beyond these, on which the two sides clinch, other arguments are advanced on both sides of the question. What is **Transitional Paragraph.** their bearing? If they are beside the point, we can discard them at once; if they are germane, but incontestable, we must keep them in mind as truths to be reckoned with; but in any event, since they have all been brought forward repeatedly in connection with this subject, we must give them fair consideration. We may well do so before we examine the main issues.

EXCLUSION OF IRRELEVANT MATTER

In an overlapping group we included the objection that the majority of public high schools are too limited in teaching force and equipment to introduce elective studies; and another objection, — the danger of superficiality in the so-called enriching and broadening of lower-school programmes. These two matters are continually and often evasively slipped in among the arguments against elective studies; but if this analysis of the question serves any purpose, it helps to make clear that these two points are not germane, but beyond the limits of the present subject.

They are extraneous, because, as regards the first objection, it is obvious that schools which can offer only one complete course are not concerned with the matter of election; such schools fall beyond the scope of this discussion until they are able to extend their curricula. Likewise, concerning the second objection, however important it may be to recognize the possible dangers in enriching and broadening the programmes of the lower schools, the question does not concern the *election* of studies. This point is important. If there are any subjects which are worthless, out of place, or superficially taught, they are so whether they are imposed on the pupil or left to his choice. The real fault is that they are in the curriculum at all. These two matters, therefore, may be safely banished from the real issues.

STATEMENT OF ADMITTED MATTER

The arguments against the elective system further include two contentions: first, that unrestricted election is impossible, since there are so many hindrances to its free play; second, that the elective system throws on busy parents a responsibility hitherto wholly assumed by the schools. Surely these two points concern us vitally; but they are admitted by everybody. So much is common ground. The last objection mentioned above — a kind always urged against any reform, namely, that the new system will not put a stop to all educational wastes — is also conceded.

APPENDIX VI

SPECIMEN BRIEFS¹

“GRANTING the willingness of Cuba, the annexation of Cuba to the United States would be for the best interests of the United States.”

(A)

BRIEF FOR THE AFFIRMATIVE

INTRODUCTION

I. The question arises from the following facts: —

- A. “Cuba is a natural extension of our coast-line” (President Monroe).
- B. The United States by the Treaty of Paris stands sponsor for Cuba.
- C. In the summer of 1906 Cuba broke into revolution, and in September, 1906, the United States, acting under the authority of the Platt Amendment, intervened.
- D. On account of the apparent inability of the Cubans to maintain order, the cry for “anexation” is echoed through the United States.
- E. On the other hand, such an eminent statesman as Andrew D. White believes that annexation would be a serious mistake.

II. The opponents of annexation maintain: —

- A. Annexation would not pay economically, for
 1. It would ruin the American beet sugar industry, for

III. Those who favor annexation maintain: —

- A. Annexation would pay economically, for
 1. It would increase our trade, for

¹ This brief was prepared by a Bowdoin College debating team, and used in an intercollegiate debate at Syracuse University in 1907. The clash of opinion (in II and III) was elaborated for the sake of finding the issues, not for delivery in this complete form.

- a. The production of Cuban sugar cane would increase.
- b. Cuban cane sugar would enter the United States duty free.

B. The Cubans (1,600,000) are undesirable, for,

- 1. They are illiterate.
- 2. They have a negro problem similar to the one in the Southern States.
- 3. They are incapable of self-government.
- 4. They cannot be assimilated successfully by the United States.

C. The United States would violate her honor in annexing Cuba, for

- 1. On four occasions the government has officially declared that it would not annex Cuba.

- a. Annexation would give Cuba a stable government, and
- a'. This would develop the island.
- 2. Annexation would stimulate our fundamental economic industries.
- 3. Annexation offers the American sugar consumers a saving of \$108,000,000 yearly.
- 4. Even if annexation would ruin the American beet sugar industry, the land can be more profitably used in raising corn.

B. The inferiority of the Cuban population is not a sufficient obstacle to annexation, for

- 1. Annexation itself would be a social uplift to the Cubans.
- 2. The United States is already handling similar undesirable populations.
- 3. The incapacity of the Cubans for local government has yet to be proved.
- 4. The negro in Cuba is an economic necessity.
- 5. Cuba may be annexed as a territory, to be granted statehood, when fit.

C. The annexation of Cuba does not involve questions of national honor, for

- 1. In the four cases cited, the United States made no promises, but simply expressed an intention, and
- 1'. Intentions are the product

D. Annexation is not the only solution of the Cuban situation, for

1. An American protectorate would give the island stable government.
2. Reciprocity would secure all the trade advantages of annexation.

IV. The question is thus resolved into the following main issues:—

- A. Would the annexation of Cuba pay economically?
- B. Is the inferiority of the Cuban population sufficient to offset the advantages of annexation?
- C. Would annexation be dishonorable?
- D. Does any other solution of the Cuban situation offer equal advantages?

PROOF

I. The annexation of Cuba would pay economically, for

- A. Annexation would greatly increase our trade, for
 1. Although heretofore conditions in Cuba have been averse to trade,
 - 1'. Yet, under annexation conditions would be favorable to trade, for
 - a. The United States would extend its own stable government to Cuba.
 - b. The island would be insured against internal warfare.
 - c. The United States would extend its own efficient school system to Cuba.
 - d. There would be free trade between Cuba and the United States, for

(Refutation.) (1) The argument that the Cuban tariff would not be removed, since the Philippine tariff has not been removed, is an unsound analogy, for

- (a) The Philippines are not "annexed," but simply "acquired territory" under a military government.

of circumstances, and should be changed by circumstances.

2. This question grants the willingness of Cuba.

D. Annexation is the best solution of the Cuban situation, for

1. No other method has so many advantages as annexation.

2. Annexation would develop the island, for
 - a. A stable government would attract capital, for
 - (1) General Leonard Wood says, "No country offers better returns for investors."¹
 - (2) James Bryce says, "One is everywhere struck by the potentialities of Cuba and by its actualities."²
 - b. A stable government would induce immigration.
3. Albert A. Robinson's estimate that "a highly developed Cuba would purchase some \$200,000,000 worth of goods per year from the United States," almost five times the corresponding figure for the fiscal year 1906,³ seems fair, for
 - a. "Cuba can support a population of 10,000,000, seven times her present population."⁴
 - b. Ten times the present acreage in sugar is available for good sugar plantations.⁵
 - c. From 1901-06 the purchases of Porto Rico from the United States were quintupled.⁶

B. Annexation would greatly stimulate the fundamental economic industries of the United States, for⁷

1. Since Cuba imported, during the fiscal year 1905, structural iron and steel and machinery to the value of \$3,800,000, it seems probable that an annexed and highly developed Cuba, with nearly five times the purchasing power, would buy iron and steel to the value of about \$18,000,000 annually.
2. Since Cuba imported cotton and cotton goods the same year to the value of \$9,000,000, a highly developed Cuba would import cotton to the value of over \$40,000,000.
3. Since Cuba imported flour, corn, and meat worth \$16,000,000, a highly developed Cuba would import flour, corn, and meat worth about \$80,000,000.
4. Although our present shipping with Cuba is almost a negligible quantity,⁸ the shipping of a highly devel-

¹ Report of the Department of Commerce and Labor, May, 1905.

² *North American Review*, vol. 174.

³ *Review of Reviews*, vol. xxvi, p. 195.

⁴ James Bryce, *North American Review*, vol. 174.

⁵ Report of the Department of Commerce and Labor, May, 1905.

⁶ Editorial, *Outlook*, October 13, 1906.

⁷ Figures taken from special report to Congress of Charles M. Pepper, May 10, 1906.

⁸ *Congressional Report*, February, 1904, p. 279.

oped Cuba, which by annexation would be carried in American bottoms,¹ would be worth merely as freight rates about \$30,000,000.²

(Refutation.)

C. The contention that this industrial stimulus would mainly benefit the trusts is not true, for³

1. The iron and steel industry includes 669 separate establishments, employing 724,000 men.
2. The cotton industry includes 973 separate establishments, employing 280,000 men.
3. The grist-mill industries include 25,000 separate establishments, employing 42,000 men.
4. The meat industry includes 921 separate establishments, employing 70,000 men.
5. The shipping industry includes 1116 firms, employing 47,000 men.
6. These figures do not include the thousands of establishments and the millions of men engaged in mining the iron, in growing the cotton and wheat, and in raising the cattle.

D. Annexation offers the American sugar consumer a saving of \$108,000,000 annually, for⁴

1. One fifth of our sugar comes from Europe, at a duty of 1.7 cents per pound more than is necessary for all the sugar we consume, for
 - a. There cannot be on the same market at the same time two prices for the same commodity.
2. This burden of \$108,000,000 annually is unnecessary, for
 - a. \$57,000,000 of this amount never reaches the national treasury as legitimate revenue, but goes into the pockets of private individuals, for
 - (1) One fifth of our sugar comes from Hawaii and Porto Rico duty free; one fifth we grow at home duty free; and two fifths comes from Cuba at a tariff reduction of twenty per cent; but all four fifths sell at the price fixed by the remaining fifth of costly European sugar.
 - b. Cuba can easily produce all the sugar that we consume, thus displacing the European article, for

¹ Federal law.

² Franklin Wood, *Moody's Magazine*, October, 1906.

³ Figures taken from the Twelfth Census.

⁴ Figures from the Department of Agriculture.

- (1) At least five thousand acres might quickly be turned into sugar cane, or three and a half times the present acreage.¹
- (2) Sugar production in Cuba is cheaper than in Europe.²

(Refutation.)

E. Even if annexation ruined the American beet sugar industry, the same land could be used more profitably in raising corn, for

- 1. Although sugar beets are slightly more profitable per acre than corn, yet sugar beets are only one fifth as profitable as they appear to be, for
 - a. A farmer can take care of five times as many acres of corn as of beets.³

II. The United States would not violate her honor in annexing Cuba, for

- A. In the Declaration of War against Spain, in the Treaty of Paris, in the subsequent Treaty with Cuba, and in the Message of President Roosevelt, the United States merely declares its non-intention of annexing Cuba.
- B. Intentions are the product of circumstances, and change as circumstances change.
- C. This question presupposes a change of circumstances, for it grants the willingness of Cuba.

III. The present social inferiority of the Cuban people is not sufficient to offset the advantages of annexation, for

- A. Annexation itself would be a social uplift to the Cubans, for
 - 1. The resulting stable government would be a social betterment.
 - 2. The American school system would begin to drive out illiteracy.
 - 3. The increased economic prosperity (see I) would mean a constant social uplifting.
 - 4. The influx of American and European immigrants, who would consist largely of homeseekers, merchants, and business men, would be a social uplift.
- B. The United States is already successfully handling equally undesirable populations, for
 - 1. In New Mexico the population is composed of Spaniards, Indians, negroes, and half-breed "greasers."⁴

¹ Report of the Department of Commerce and Labor, May, 1906.

² *Ibid.*

³ Henry C. Taylor, *Agricultural Economics*, pp. 73-77.

⁴ Twelfth Census.

2. The population of Arizona is made up of Mexicans and Indians, sixty-one per cent of whom do not speak English.¹
3. Every year 1,100,000 immigrants (a number equivalent to two thirds of Cuba's population), Roumanians, Italians, Armenians, Russians, Poles, and Lithuanians, enter our ports and scatter throughout our land.²

C. The problem of assimilating the Cubans is no greater, for

1. At present they are isolated on an island eighty miles distant.

D. The incapacity of the Cubans for local self-government has yet to be proved, for

1. The recent insurrection in Cuba only indicated the failure of the Cuban government.
2. With the United States government as the central authority, local self-government should be successful in Cuba, for
 - a. It has proved so in the similar case of Porto Rico.

E. There is no negro problem in Cuba, for

1. The presence of negroes does not necessarily indicate a negro problem.
2. Talcott Williams says that there is no negro problem in Cuba.³
3. The cheap labor of the negro is an economic necessity on the sugar plantation.⁴

IV. Annexation is the best solution of the Cuban situation, for

A. It would aid Cuba, for

1. It would give Cuba a stable government.
2. It would give Cuba our educational system.
3. It would insure Cuba against internal warfare.
4. It would give Cuba free trade with the United States.
5. It would induce the investment of capital in Cuba.
6. It would induce desirable immigration into Cuba.
7. It would hold out the aim of ultimate statehood to Cuba.
8. It would mean a social uplift to Cuba.

B. It would pay the United States, for

1. It would greatly increase our trade with Cuba.
2. It would stimulate our fundamental economic industries.
3. It would save the sugar consumers of the United States at least \$108,000,000 annually.

¹ Twelfth Census.

² *Outlook*, September 15, 1906.

³ Report of Commissioner of Immigration.

⁴ Special Report of Charles M. Pepper.

C. No other plan has such an inclusive and satisfactory group of advantages, for

1. A protectorate would do little more than give Cuba a stable government through the constant presence of force.
2. Reciprocity and trade agreements could insure, at most, only Cuba's present trade, not the quintupled trade of a highly developed Cuba.

CONCLUSION

- I. Since the annexation of Cuba would pay the United States economically;
- II. Since the present inferiority of the Cuban people is not sufficient to offset the advantages of annexation;
- III. Since annexation would not be dishonorable;
- IV. Since no other solution of the Cuban situation offers equal advantages;

Therefore, granting the willingness of Cuba, the annexation of Cuba to the United States would be for the best interests of the United States.

(B)

BRIEF SUBMITTED TO THE OREGON LEGISLATURE WITH COPIES OF THE PROPOSED BILL

January, 1917

A. OREGON SHOULD HAVE A STATE SYSTEM OF RETIRING ALLOWANCES FOR TEACHERS, for

- I. Such a system will increase the efficiency of our public schools, for
 - a. It will make teaching as a profession more attractive.
 - b. It will enable schools humanely to retire teachers who are no longer competent.
 - c. It will promote continuity of school work by increasing the average of years of service.
 - d. The fact that the teachers of Oregon are much more poorly paid than the teachers of neighboring States puts Oregon at a disadvantage in attracting and retaining the best teachers,
and
- d'. A state system of retiring allowances would aid in offsetting this disadvantage.

- II. The proposed system would be a boon to teachers especially at this time, for**
 - a. The cost of living of teachers in Oregon has increased thirty-five per cent during the past three years, while their wages have not increased five per cent.*
 - b. It makes thrift compulsory.*
 - c. The State Convention of Teachers, in December, 1916, approved the plan exactly as proposed.*
- III. State systems have been adopted in thirty-three States, of which twenty-one are state-wide in their application.**
- B. THE PROPOSED PLAN FOR OREGON IS THE BEST PLAN, for**
 - I. The system is financially sound, for**
 - a. Each teacher is guaranteed only the annuity purchasable by his own contributions.*
 - b. The system has proved financially sound in Massachusetts.*
 - c. The leading experts in this country on teachers' pensions — the Carnegie Foundation — have approved the plan.*
 - d. "A pension system on a reserve plan, sustained by joint contributions of employer and employee, is the only one in which the cost can be ascertained in advance and the only form which can be permanently secure."*
— Secretary, Carnegie Foundation.
 - e. The proposed system includes none of the features which have caused the break-down of other pension systems.*
 - II. It embodies the features now universally regarded as essential for a successful system; namely, adequate contributions by the teachers, keeping of individual accounts, annuities purchased by the individual contributions, and pensions paid by the State.**
 - III. The proposed plan is legally sound, for**
 - a. It has been drawn up by Richard W. Montague, Attorney, and J. A. Churchill, State Superintendent of Public Instruction, and James B. Kerr, Attorney.*
 - b. The essential features are in operation in many States.*
 - c. It proposes to tax for the support of the system no district which does not participate in the benefits.*
 - IV. It is a contributary system.**

APPENDIX VII

SPECIMEN BRIEF AND FORENSIC SHOWING THE RELATION OF THE BRIEF TO THE COMPLETE ARGUMENT

THE relation of the brief to the complete written argument may best be seen by observing them side by side. The following brief and argument, substantially in their present form, were prepared by a college student as a part of his work in a course in argumentative writing. This specimen is not presented as a masterpiece, but as an illustration of the kind of work any student may hope to do after a study of the principles here set forth. The references are omitted from this brief, in the interests of simplicity, as the present object is to illustrate how the complete argument is developed from the brief. The parts of an argument should not be labeled with technical terms: the terms are here used only for purposes of instruction. The complete argument is printed only on the right-hand pages, facing the brief on the left-hand pages from which the argument in its present form was developed.

Another student's brief and argument, set up in the same way for comparison, will be found in the eighth chapter of *Essentials of Exposition and Argument*. (Houghton Mifflin Company, Boston, 1911.) The subject concerns the guaranteeing of bank deposits. Other briefs in this volume deal with secret societies in public high schools, the game of football, and vivisection.

STUDENT'S BRIEF

If it were possible, would a property qualification for the exercise of the municipal franchise be desirable?

INTRODUCTION

- I. Corruption and inefficiency in the government of American cities give rise to the question whether there should be a property qualification for the exercise of the municipal franchise.
- II. "Property qualification" means the restriction of the privilege of voting to those who own a certain amount of property or pay a certain amount of rent, the amounts to vary with local conditions.
- III. The main facts in the history of the question are as follows:—
 - A. Before the Revolution, each of the thirteen colonies had a property qualification.
 - B. Rhode Island, the only State to retain the provision, reduced the restrictions, after Dorr's Rebellion in 1841, to about their present status.
 - C. During the last half century the corruption in city government has been aggravated by two chief causes:—
 - (1) There has been a great increase of immigration.

STUDENT'S ARGUMENT

If it were possible, would a property qualification for the exercise of the municipal franchise be desirable?

INTRODUCTION

“The one conspicuous failure in American government,” says James Bryce, “has been in the case of municipal administration.” This dictum, however distasteful it may seem, has ^{Origin of} _{Question.} been accepted by students of government everywhere. We may dispute as to the causes of our failure in city government, and we may question the efficacy of proposed remedies, but we must all agree that our cities are corruptly and inefficiently governed. To remedy this condition it has been urged that a property qualification for the exercise of the municipal franchise is desirable.

The proposed property qualification has the following general provisions: Only persons, not otherwise excluded, who own a certain amount of property or pay a certain annual ^{Definition of Terms.} rental, shall have the right to vote in municipal elections; and the amount of property or annual rental required shall be fixed according to local conditions, by local boards of unbiased statisticians. Thus the qualification would vary according to local condition, but in each case it would be intended to disfranchise the poorer element in the community.

The proposed plan for restricting the franchise is by no means a new and untried device. Before the American Revolution there existed in each of the thirteen colonies a property qualification. The Revolution, however, bringing with it ^{History of} _{Question.} the theory of the equality of man, led to the abolition of the limitation in all the states except Rhode Island.

In Rhode Island the popular feeling against the few property-holders who controlled the suffrage became so bitter that in 1841 a large part of the populace, led by Captain Dorr, rebelled, and as a result the qualification was reduced so as to admit to the suffrage all who owned \$134 worth of real estate or paid an annual rental of \$9. Since 1841, slight amendments have been made to the Rhode Island qualification, but it is essentially as reformed at that date.

For several years after Dorr's rebellion, the property qualification was a dead issue. But a change was taking place in American cities. There began, about 1850, a tremendous increase in immigration from Europe, and the immigrants largely settled in the cities. Furthermore, because of the increase in our manufacturing,

(2) There has been a great influx from country to city.

D. In 1883, a committee of the New York Legislature reported in favor of a property qualification.

E. In 1887, a similar committee in Pennsylvania reported against a property qualification.

F. A recent proposal to abolish the Rhode Island qualification, by amending the Constitution, was rejected.

IV. Those who favor a property qualification for the exercise of municipal franchise hold the following contentions:—

A. A property qualification would reduce corruption, in that
(1) It would disfranchise the corrupt element.

(2) It would deprive the bosses of their support.

B. Those who would be disfranchised should not have the privilege of voting, in that

(1) They are for the most part improvident, lazy, and illiterate.

(2) They have no stake in the government.

C. The disfranchised element would still be trained in voting, in that

(1) They would vote in state and national elections.

V. Those who oppose such a qualification hold the following contentions:—

A. A property qualification would not greatly reduce corruption, in that

was an influx from the country to the city. Both of these causes led to a rapid increase in our urban population, and with this increase came corruption and extravagance.

In 1883, Governor Tilden (observing the shameful misgovernment of the cities of the Empire State) appointed a committee of the New York Legislature to consider the advisability of a property qualification for the exercise of suffrage. This committee, consisting of twelve Assemblymen, reported unanimously in favor of a modified property qualification. It proposed that in each city there should be a finance committee to raise and spend all money, and to be elected by those who owned over \$500 worth of property or paid an annual rental of \$250; all other municipal officers should be elected by universal manhood suffrage. This report, however, was never acted upon.

Again, in 1887, a similar committee was appointed by the Governor of Pennsylvania. This committee reported against a property qualification; for "a qualification requiring the ownership of \$500 worth of property or the payment of an annual rental of \$250 would exclude from the franchise many desirable voters, while it would not exclude the tenants of low grog-shops and other disreputable establishments."

The last legislative proposal relative to the property qualification was a proposed amendment to the Rhode Island constitution, for abolishing the Rhode Island qualification. This amendment, however, was rejected.

Having briefly reviewed the history of the proposed remedy, let us examine the arguments advanced in its favor. It is urged that a property qualification would reduce corruption, since *Affirmative Arguments.* it would disfranchise the corrupt element and deprive the bosses of their support. It is held, further, that those who would be disfranchised should not vote, since they are for the most part improvident, lazy, and illiterate, and since they have no stake in the government. Finally, it is said that the proposed plan would not deprive any men of training in citizenship, since they could still vote in state and national elections.

Those who oppose a property qualification maintain that a property qualification would not, as its friends contend, greatly reduce

- (1) The economic standing of an individual is no fair test of character or of judgment.
- (2) The corrupting element would not be disfranchised.
- B. A property qualification would disfranchise those who should have the right to vote, in that
 - (1) Many poor people have good character and good judgment.
 - (2) The best government results from the representation of all classes.
- C. A property qualification would produce serious evils, in that
 - (1) It would retard public improvement.
 - (2) It would remove the educational force of universal suffrage.
 - (3) It would increase social unrest.
- D. The evils of city government can be better remedied by other means.

VI. The question of the legality of the proposed plan is extraneous, in that

- A. The Supreme Court has decided that question.
- B. The proposition rules out that question by the phrase, "if it were possible."

VII. The discussion can be further limited, in that

- A. We admit that our city governments are corrupt and inefficient.
- B. For present purposes, we waive the question whether those who would be disfranchised would surrender their right without violent opposition.

VIII. This clash of opinion and narrowing of the question reveals the following main issues: —

corruption, for the reasons that the economic standing of an individual is no fair test of his character and judgment, and the corrupting element would not be disfranchised. The opponents of the plan contend further that it would disfranchise those who should be allowed to vote, for many poor people have good character and good judgment, and the best government can be attained only when all classes of society have fair representation. As a third contention it is held that a property qualification would produce serious evils, since it would retard public improvement, it would remove the educational force of universal suffrage, and it would increase social unrest. Further opposition is based on the contention that the present evils of municipal government can be better remedied by other means.

Negative Arguments.

Before moving to a consideration of these contentions, however, it may be well to fix clearly the limits of the question. In the first place, it should be noted that we need not here consider the legality of a property qualification. Although there are those who question the right of the State to limit the suffrage, yet the decisions of the Supreme Court, in the cases of the educational and residence qualifications, hold that the extent of the suffrage is within the power of the State to decide. Moreover, the proposition we are now discussing expressly limits the discussion to the desirability of the proposed plan. Into this question we need not enter.

Exclusion of Extraneous Matter.

Furthermore, it is not necessary to convince any one that our city governments are corrupt and inefficient. We accept as an axiom that our larger cities need reform, and we shall here consider only the merits of the proposed reforms. Finally, for the purposes of this discussion, we waive consideration of the question whether those who now enjoy the suffrage, and who would be disfranchised by the proposed limitation, would be willing peaceably to surrender their right, if it seemed necessary for the general welfare.

Admitted and Waived Matter.

We are therefore ready to deal with the merits and demerits of the proposed property qualification, aside from its legality or practicability. We are prepared to consider it judiciously, as citizens realizing the shameful conditions in our cities, and intent on finding an adequate and suitable remedy.

Main Issues.

- A. Would the property qualification reduce corruption and inefficiency in our cities?
- B. Should those who would thus be disfranchised have the privilege of voting?
- C. Would a property qualification lead to serious evils?
- D. Could the present evils in city government be better remedied by other means?

PROOF

A property qualification for the exercise of the municipal franchise is undesirable, for

- I. A property qualification would not reduce corruption and inefficiency in our cities, for

- A. The economic standing of an individual is no fair test of his virtue or civic ability, for
 - (1) Poverty and corruption do not necessarily go hand in hand.
- B. It would not disfranchise the corrupting element, for
 - (1) It would not disfranchise the men who buy contracts and votes, for
 - a. These men have plenty of ill-gotten gain.
 - (2) Although it is held that such a plan would deprive the bosses of their support, yet this is not the outcome of experience, for
 - a. Rhode Island bosses still find men to corrupt, for

The issues that we must consider are: First, would the property qualification reduce corruption and inefficiency in our cities? Second, should those who would thus be disfranchised have the privilege of voting? Third, would a property qualification lead to serious evils? and fourth, could the present evils in our city government be better remedied by other means?

PROOF

The advocates of a property qualification confidently assert that it would remove corruption and inefficiency from our cities, because, as they say, it would remove the element in our electorate which is responsible for corruption. In this they assume that the poorer element in a community is *prima facie* the corrupt element. It is perfectly true that our criminal courts handle more residents of the slum districts than of the middle or upper class of the community. It is also true that the city boss exerts more control over the slum-dwellers than over the upper or middle classes. But it is a long leap from these facts to the above conclusion. To say that since a certain locality is poor and corrupt, therefore poor people are as a class corrupt, seems to be a case of hasty generalization. Surely such reasoning cannot be used in favor of a radical change in local government. The fundamental question that arises here is, Can the economic standing of an individual be considered a fair test of his virtue or civic ability. Granted that a man is poor, — very poor, — that he lives in a locality where rents are very cheap, is that *prima facie* evidence that he is corrupt? If not, why will disfranchising this class of our citizens reduce corruption? The reason is not clear. It is not clear that the State can draw a line through society and say, "Here on the one hand are the property holders and those who pay a high or moderate rent, with virtue; and, on the other hand, here are the non-property holders and low-rent payers, with corruption."

First Issue:
Refutation
of First
Affirmative
Contention

That this attempt to disfranchise the corrupt is ill-adapted is further shown by the fact that it would not disfranchise the corrupting element, — the men who buy contracts and employ "floaters" and "ward-heelers." These men, as a rule, live in affluence on the money they can steal from the public, and they would still be free to pursue their corrupt practices. But the advocates of the property qualification would answer, "No, the people who put these city corrupters in power would be disfranchised, so that the corrupt bosses would thus lose their support." The fact is, however, that in Rhode

- x.* Governor Garvin says that bribery at elections is practiced in every Rhode Island city.
- y.* Lincoln Steffens says the cities of Rhode Island are among the most corrupt in the Union.

C. The property qualification in the cities of England did not reduce corruption.

II. Those who would be disfranchised by a property qualification should have the privilege of voting, for

A. Many of these contribute an honest, progressive element to our electorate, for

- (1) Many clerks, students, and young professional men of good character and good judgment are very poor.

Island, where the "submerged tenth" is disfranchised, the corrupt bosses still get into power and find people to corrupt. According to Governor Garvin's report to the legislature in 1901, every city in Rhode Island is contaminated by bribery at election time, and according to Lincoln Steffens the cities of Rhode Island are among the most corruptly governed in the Union. Evidently political corruption is not peculiar to the poorer classes of our city population. It permeates society, and is as likely to crop out on Fifth Avenue as on Cherry Hill.

If further proof is needed that a property qualification would not reduce corruption, we may turn to the experience of England. England has had a property qualification from time immemorial. Yet up to 1883 the city governments were as corrupt as any that now exist. In that year a committee of Parliament was appointed to investigate conditions. The report of this committee shows that though the lower elements were excluded from the franchise, yet the most shameful corruption was practiced at city elections all over England. The full report of this committee is given in the Appendix of Mr. Ivin's *Machine Politics*. But the significant thing about this report is that it led to a sane and effective remedy for English corruption, — not to further limitation of the franchise, but to the passage of Corrupt Practices Acts. Since 1883 corruption has become rare in English cities, and Englishmen may proudly boast that they have the best governed cities of the world.

From the above, then, we may conclude that both reason and experience show that a property qualification would not reduce corruption in our cities.

Next we must consider whether those who would be excluded by a reasonable property qualification ought to be excluded. The advocates of a property qualification affirm that the people who would be disfranchised would be improvident, lazy, or illiterate, else they would own property or pay a rent sufficient to qualify them. Now, although we willingly concede that many of our city poor are lazy, improvident, and illiterate, which indeed may be said of other classes in the community, yet we contend that many of the city poor are not so, and would make desirable voters. There are in all of our cities many young men — clerks, students, and professional men — whose character and judgment contribute an honest, progressive element to our electorate, and yet who are under the necessity of living in cheap dwellings. A large number of men of this type would be disfranchised by any effective property qualification. These men

Second Issue:
Refutation
of Second
Affirmative
Contention.

B. All men have a stake in the government, for

- (1) Although it is held that only those who pay the city bills should spend the money, yet this is based on a false assumption, for
 - a. A city is a political rather than a business organization.
 - b. The right of government does not proceed from property-holding, but just the opposite.
- (2) The health, safety, and convenience of every person depends on efficient city government.

C. The best government is that in which all classes are represented, for

- (1) This is an axiom of the Declaration of Independence.
- (2) This is the testimony of Gladstone.
- (3) This is the testimony of ex-Mayor Low.

for the most part have all the qualities that go to make good voters. Could we afford to disfranchise these voters under any circumstances? Would not the remedy be worse than the disease?

But there is another phase of this question which demands our attention. Those who favor a property qualification assert that people who do not pay taxes have no stake in the city government. The people who pay the city bills, they say, should decide how the money is spent. This sounds plausible enough at first, but evidently it is founded on the false assumption that the city is a business rather than a political institution. It is based on the idea that the right of government proceeds from property-holding, while the fact is recognized by all civilized peoples that the right of property-holding proceeds from the government. The former is the feudal idea; the latter is the democratic idea.

Having straightened out our premises, let us see whether it is true that those who would be disfranchised have no stake in the government. We have found that a city government is a *political institution*. Its function is not to make or save money, but to administer to the needs of the people. If the sewerage or water department does not do its work, the health of every citizen is endangered. Bacilli are no respecters of persons. If the fire department is inefficient, the life and property of every citizen is endangered. If the park and street departments are poorly administered, all are inconvenienced. If the officers are incapable or dishonest, the health, safety, and convenience of every citizen is neglected. The obvious conclusion is that every citizen has a stake in the city government.

And, finally, all classes should vote, because the best government is that in which all classes are represented. Volumes might be written on this thesis. The history of Greece, of Rome, and of the feudal empires might be cited. But it seems scarcely necessary to prove a proposition which was accepted as axiomatic by the founders of this country, and which indeed was stated as an axiom in our Declaration of Independence. As Gladstone says, in his *Gleanings of Past Years*, "Each class knows something, and something material to the general welfare, which the other classes do not know. There are some questions on which the lower class is better fitted to decide than the upper class." And, to quote ex-Mayor Low, "In government we need the influence of the class that feels as well as of the class that thinks."

Then we are ready to conclude that those who would be disfranchised by a property qualification ought to be allowed to vote, since many of them would be desirable voters, all of them have a stake

III. A property qualification would produce serious evils, for
A. It would retard public improvement, for

- (1) The interests of property holders and of the public conflict, for
 - a. This was shown in the opposition of tax-payers to the Beacon Street Boulevard.
 - b. This was shown, in 1892, in the objection of tax-payers to granting needed funds for New York city schools.
 - c. This was shown in the opposition of Hartford tax-payers to installing a water system.
 - d. This was shown in Providence.

in the government, and the best government is realized when all classes are represented.

A further question arises, whether a property qualification would bring with it certain alleged evils. First, would it retard public improvement? One of the vital interests of every property holder is to keep the tax-rate low. On the other hand, public improvements tend to raise the tax-rate.

Third Issue:
first sub-
topic.

Here is an apparent conflict between the interests of the property holder and of the public. The advocates of a property qualification assert that though in theory the interests conflict, yet in practice they do not, because what is good for the public is good for the property holder. Unfortunately for the proposed remedy, this is not always the case. Only last week the mayor of Boston proposed that a boulevard should be laid out between the houses facing on Beacon Street and the river. This idea appeals to the public. The proposed boulevard would add much to the beauty of the river front and to the excellence of Boston's park system. Yet the property holders object. This illustrates how a conflict might arise between the property holders and the public.

But the objection may arise that this example is too limited in its application, that it is an exceptional case. For this reason I shall state briefly a case vouched for by Professor A. B. Hart. In New York City, in 1892, the school system was of a low standard. Hundreds of children from the slum districts could not get accommodations in the schools, and the teachers were incapable because the salary fund was inadequate. Observing this, a body of citizens started an agitation for improvement in the system. But no sooner had the proposal been made than the property-holding interests objected. As citizens they thought education a good thing, but as property holders they objected to the improvement because it would raise the tax-rate.

Another case is cited in the *Harvard Register* of April, 1905, where Charles Dudley Warner is quoted as saying that the health of Hartford, Connecticut, his own city, was neglected, because the property holders of the city opposed the installment of a decent water system, on the ground that it would raise the tax-rate.

And, finally, to observe a case where there is a property qualification, and where this conflict between the property holder and the public is now going on, we may note conditions in Providence, Rhode Island. Mr. Low, in his speech before the Harvard Political Club last year, said that, after he had spoken before a Providence audience on this very subject, one of the citizens came up to him and

B. It would take away the educational force of universal suffrage, for

(1) Although it is held that the educational force of state and national elections will still remain, yet this is insufficient, for

a. We must interest our alien citizens first through simple matters which are close to their daily life, for
x. They cannot understand national issues.

C. It would aggravate the social unrest in our cities, for

(1) The property question is at the root of the present unrest, for

a. Socialists oppose the system of private property.

said, "Mr. Low, what you say about the property qualification retarding public improvement is exactly true. Twenty men have held this city back for twenty years."

A further objection to the property qualification in cities is that it would take away the educational force of universal suffrage. President Eliot, in his *Five American Contributions*, names as one of the five contributions of the United States to civilization the educational force of universal suffrage. No one disputes this. Those who favor a property qualification admit that universal suffrage is a great educator, but they assert that they do not propose to take away this force. Universal suffrage will still exist in state and national elections, and the new citizen will get his political education in voting for the governor and the president. They assert further that municipal campaigns are not educative anyway, since they involve a discussion of men and not of issues. Both of these arguments, however, overlook the fact that if we are to get our alien citizens interested in our political system, we must approach them on matters that come near to them and that are sufficiently simple for them to understand. The alien citizen of the lower class, of which we have so many, is not interested in and cannot understand our tariff questions, financial questions, Panama Canal questions, and the like. We must approach him on the things that he meets in his daily life, the parks where he takes his recreation, the schools where his children are educated. It is on these elementary questions that he must get his primary political education, and having mastered these, he is fitted to understand the more difficult discussions of state and national campaigns. Hence it is clear that the educative force of universal suffrage is most effective in our city campaigns, and that a property qualification would take away this force.

A third objection to the proposed remedy is that it would aggravate the social unrest in our cities. There is to-day a growing unrest in our cities, and the property question is at the root of it. The Socialist thinks that the community should own all property. The Labor Unionist looks with envy on the affluence of his employer, feeling that he does not get his share of the profits of industry. Consider the ill-feeling that would be engendered if the man of small means were still further antagonized by exclusion from the franchise. The significance of this consideration cannot be over-emphasized. It assumes its true importance when we recall that Dorr's Rebellion in Rhode Island was directly caused by the device that is now proposed for our municipal elections.

Third Issue:
second sub-
topic.

Third Issue:
third sub-
topic.

IV. The present evils of the city government could be better remedied by other means, for

A. Corrupt Practices Acts would tend to eliminate corruption in elections, for

(1) This has been the experience in England.

B. An extension of the civil service would further remedy the evils of the spoils system.

C. The employment of expert heads of departments would increase efficiency, for

(1) This is the testimony of President Eliot.

(2) This has been the experience of England.

CONCLUSION

I. Since a property qualification for the exercise of the municipal franchise would not reduce corruption and inefficiency;

Now that we have examined the property qualification and found that it would not be a desirable remedy for the present evils, we may be asked to propose something better. The task of ^{Fourth} _{Issue} reforming is not a simple one. Yet there are several simple remedies which have produced such good results elsewhere that we suggest them for consideration.

One of the most palpable of our municipal evils, and one that can most easily be reformed, is corrupt practices at elections. Bribery, treating, and repeating are common in all large American cities. In this regard we might well take a lesson from England. In England, as mentioned above, the most shameful abuses at elections were remedied by the passage of a Corrupt Practices Act, which put a large penalty on all attempts to influence a man's vote by the use of money. These laws were passed when English cities were among the most corruptly governed in the world. To-day, English cities are the best governed. The elections, which formerly were mere business transactions, to-day represent the will of the people. The lesson seems obvious.

Another evil that should be remedied in our cities is the spoils system. The simple effective remedy for this is an extension of the Civil Service; and in spite of the spoils-men, we are slowly getting it. We would have an almost ideal government if all appointed officers secured their positions by the Civil Service. But this is said to be impossible, because there are many positions for which there can be no appropriate test, as in the case of ashmen. The system, however, is capable of a much broader application than at present. If we cannot have a whole loaf, a half of one will help somewhat.

Another proposed reform is the employment of highly trained heads of departments. The present system of appointing prominent politicians as heads of departments, in return for election work, has nothing in reason or experience to commend it. It must be held largely responsible for the present mal-administration. President Eliot says, "Good city government has now become absolutely impossible in the United States without the employment of expert heads of departments." The excellent government of English cities is held (by men who have studied the question, — Munro, Lowell, Eliot, Bryce) to be due in a large measure to the system of permanent expert department heads.

PERORATION

The road to reform, then, seems clear. The remedy for the present evils of city government, great as they unquestionably are, lies not in

- II. Since those who would be disfranchised by such a property qualification should have the privilege of voting;
- III. Since a property qualification would produce serious evils;
- IV. Since the present evils of city government could be better remedied by other means;

Therefore, a property qualification for the exercise of the municipal franchise is undesirable.

a restriction which, because it is no fair test of virtue or civic ability, disfranchises honest men and leaves the present bosses free to continue their corrupt work. The remedy lies not in a plan which is based on the false assumption that only those who pay taxes have a stake in the city government, and on the equally false assumption that the best government can be secured by refusing representation to the poorer classes, — an idea unfair, undemocratic, and un-American. The remedy lies, not in a plan which would retard public improvement by fostering the cupidity of tax-payers; which would take away the educational force of universal suffrage just where it is most needed, — a plan the very nature of which would aggravate the already growing social unrest in our large cities. On the other hand, it seems clear that the most effective methods of municipal reform are those which have been so successful in the cities of England, after the property qualification proved a miserable failure. The crying need of corrupt American city politics is by no means a property qualification, but methods which experience has proved to be efficient and free from the attendant evils of a property qualification. We need, above all, corrupt practices acts, an extension of the Civil Service, and experts at the heads of our city departments.

APPENDIX VIII

SPECIMEN OF FALLACIES

BY JEREMY BENTHAM, AN IMAGINARY SPEECH INVOLVING THE TYPICAL FALLACIES OF THE ANTI-REFORMERS¹

WHAT would our ancestors say to this, Sir? How does this measure tally with their institutions? How does it agree with their experience? Are we to put the wisdom of yesterday in competition with the wisdom of centuries? [Hear! Hear!] Is beardless youth to show no respect for the decisions of mature age? [Loud cries of "Hear! Hear!"] If this measure be right, would it have escaped the wisdom of those Saxon progenitors to whom we are indebted for so many of our best political institutions? Would the Dane have passed it over? Would the Norman have rejected it? Would such a notable discovery have been reserved for these modern and degenerate times? Besides, Sir, if the measure itself is good, I ask the honorable gentleman if this is the time for carrying it into execution — whether, in fact, a more unfortunate period could have been selected than that which he has chosen? If this were an ordinary measure I should not oppose it with so much vehemence; but, Sir, it calls in question the wisdom of an irrevocable law — of a law passed at the memorable period of the Revolution. What right have we, Sir, to break down this firm column on which the great men of that age stamped a character of eternity? Are not all authorities against this measure — Pitt, Fox, Cicero, and the Attorney- and Solicitor-General? The proposition is new, Sir; it is the first time it was ever heard in this House. I am not prepared, Sir — this House is not prepared — to receive it. The measure implies a distrust of his Majesty's Government; their disapproval is sufficient to warrant opposition. Precaution only is requisite where danger is apprehended. Here the high character of the individuals in question is a sufficient guarantee against any ground of alarm. Give not, then, your sanction to this measure; for, whatever be its character, if you do give your sanction to it, the same man by whom this is proposed will propose to you

¹ For a discussion of these forms of ignoring the question, see Sydney Smith's *Fallacies of Anti-Reformers*. (In the Harvard Classics.)

others to which it will be impossible to give your consent. I care very little, Sir, for the ostensible measure; but what is there behind? What are the honorable gentleman's future schemes? If we pass this bill, what fresh concessions may he not require? What further degradation is he planning for his country? Talk of evil and inconvenience, Sir! look to other countries — study other aggregations and societies of men, and then see whether the laws of this country demand a remedy or deserve a panegyric. Was the honorable gentleman (let me ask him) always of this way of thinking? Do I not remember when he was the advocate, in this House, of very opposite opinions? I not only quarrel with his present sentiments, Sir, but I declare very frankly I do not like the party with which he acts. If his own motives were as pure as possible, they cannot but suffer contamination from those with whom he is politically associated. This measure may be a boon to the Constitution, but I will accept no favor to the Constitution from such hands. [Loud cries of "Hear! Hear!"] I profess myself, Sir, an honest and upright member of the British Parliament, and I am not afraid to profess myself an enemy to all change and all innovation. I am satisfied with things as they are; and it will be my pride and pleasure to hand down this country to my children as I received it from those who preceded me. The honorable gentleman pretends to justify the severity with which he has attacked the noble lord who presides in the Court of Chancery. But I say such attacks are pregnant with mischief to government itself. Oppose ministers, you oppose government; disgrace ministers, you disgrace government; bring ministers into contempt, you bring government into contempt; and anarchy and civil war are the consequences. . . . Nobody is more conscious than I am of the splendid abilities of the honorable mover, but I tell him at once his scheme is too good to be practicable. It savors of Utopia. It looks well in theory, but it won't do in practice. It will not do, I repeat, Sir, in practice; and as the advocates of the measure will find, if, unfortunately, it should find its way through Parliament. [Cheers.] The source of that corruption to which the honorable member alludes is in the minds of the people; so rank and extensive is that corruption, that no political reform can have any effect in removing it. Instead of reforming others — instead of reforming the State, the Constitution, and everything that is most excellent, let each man reform himself! let him look at home, he will find there enough to do without looking abroad and aiming at what is out of his power. [Loud cheers.]

APPENDIX IX

SPECIMEN] ARGUMENT: REASONING FROM CAUSAL RELATION

PROMISE IN COLLEGE AND PERFORMANCE IN LAW SCHOOL

WHY strive for high rank in college? Why not wait for the more "practical" studies of the professional school? Hundreds of boys the country over declare to-day that it makes little difference whether they win high grades or merely passable grades in the liberal arts, since these courses have no definite bearing on their intended life-work. Almost invariably they are ready to admit that they must settle down to serious effort in the studies of law, medicine, engineering — that is to say, in professional schools. Even the sport who makes the grade of mediocrity his highest aim as a college undergraduate, fully intends to strive for high scholarship in his professional studies. Does he often attain that aim? That is the question.

And that, fortunately, is a question we may answer with more than opinions.

Most conclusive are the records of the graduates of Harvard College who during a period of twenty years entered the Harvard Law School. Of those who graduated from college with no special honor, only $6\frac{1}{2}$ per cent attained distinction in the Law School. Of those who graduated with honor from the college, 22 per cent attained distinction in the Law School; of those who graduated with great honor, 40 per cent; and of those who graduated with highest honor, 60 per cent. Sixty per cent! Bear that figure in mind a moment, while we consider the 340 who entered college "with conditions" — that is to say, without having passed all their entrance examinations — and graduated from college with plain degrees. Of these men, not 3 per cent won honor degrees in law.

If a college undergraduate is ready to be honest with himself, he must say, "If I am content with mediocre work in college, it is likely that the men in my class who graduate with honor will have three times my chances of success in the Law School, and the men who graduate in my class with highest honor will have nearly ten times

my chances of success." So difficult is it for a student to change his habits of life after the crucial years of college that not one man in twenty years — not one man in twenty years — who was satisfied in Harvard College with grades of "C" and lower gained distinction in the studies of the Harvard Law School.

The same relation appears to persist between the promise of Yale undergraduates and their performance in the Harvard Law School. If we divide the 250 graduates of Yale who received their degrees in law at Cambridge between 1900 and 1915 into nine groups, according to undergraduate scholarship, beginning with those who won the highest "Senior Appointments" at Yale and ending with those who received no graduation honors, we find that the first group did the best work in their studies of law, the second group next, the third group next, and so on, in the same order, with but a single exception, to the bottom of the list. The performance at Harvard of each of the eight groups of Yale honor graduates was in precise accordance with the promise of their records at Yale.

Apparently the "good fellow" in college, the sport who does not let his studies interfere with his education, but who intends to settle down to hard work later on, and who later on actually does completely change his habits of life, is almost a myth. At least his record does not appear among those of thousands of students whose careers have been investigated under the direction of President Lowell and others. It seems that results are legal tender, but you cannot cash in good intentions.¹

¹ From "Should Students Study?" Harper and Brothers, N.Y., 1917.

APPENDIX X

SPECIMEN ARGUMENTS: SHORT EDITORIALS

(1)

NO STADIUM IN THE PARK

THE plan to convert the site of one of the Croton reservoirs in Central Park into a stadium for popular sports is not new. It has been broached before by publicity seekers and vote seekers who are of the opinion that any tract of land owned by the city is going to waste if it is not built upon. It seems almost futile to reiterate the obvious reasons why a great inclosure for athletic sports is out of place in Central Park. The same reasons apply to an art gallery, a concert hall, a free theatre, a military parade ground. Attempts have been made to put all of these things in the one considerable open space on Manhattan reserved for a public park, a landscape garden, in the midst of a great city. Thus far, with the single exception of the Metropolitan Museum of Art, which was admitted to the park while the people were napping, all attempted encroachments on Central Park have been defeated by the force of public opinion. It has been a hard fight for fifty years; it will be a harder fight in the future. Unless the park idea is kept uppermost at all times and in all seasons our parks cannot be preserved.

The stadium project is particularly objectionable. It would be granting a special privilege for a certain class of sports. Consistency, it would be held by the invaders thereafter, would require the granting of equal privileges to others. Presently the whole park would be apportioned among the invaders. There would be parade grounds, swimming pools, community theatres, concert halls, opera for the indigent, moving picture mausoleums, and no park. Central Park must be kept always as a park, the finest city park in the world. We have within the city's environment parks in which sports are encouraged; we have parks with special accommodations for picnickers. We have a great stadium built on land which once belonged to the park system. But Central Park, in the heart of the town, is a garden. The stadium project must be defeated, as the other plans for encroachment have been in the past.¹

¹ *New York Times*, January 7, 1917.

(2)

NEED OF PROTECTION AGAINST STRIKES

FEW will deny that the state of the law, and the practice, in this country, relating to strikes on what we call Public Utilities, is confused, backward, and unsatisfying. We have made ample provision for mediation and arbitration. Our government machinery for investigation has been enlarged. That is wise, for often all that is needed in an industrial dispute is to have the full truth set forth. But we have not yet provided ourselves with any sure means to prevent the immense dislocations and losses caused by a great railway or traction strike. Here is a clear and great public interest not safeguarded. Yet we have long known what Canadian legislation, for example, has done to safeguard it. The plan adopted in Canada is not perfect, but it has made great railway strikes without notice, and without first exhausting all the resources of settlement, virtually a thing of the past. We in the United States will yet have to come to something of that kind — we mean enactments which place Public Utilities in a class by themselves, and erect legal barriers to protect the public against a sudden cutting off of services essential to the ongoings of modern life. Let us hope that we shall not have to pay a great price — the experience of huge and disastrous strikes — for the wisdom necessary to lead our lawmakers to take such a step in advance.¹

(3)

THE FOLLY OF TARIFF WARS

THE folly of war with tariffs after the war with bullets is over can be shown on purely business grounds. True self-interest will be found to make against the scheme of commercial warfare and will, we believe, in the long run be fatal to it. But it is good to know that the case is also argued on a higher plane. It is not only a question of trade and profits. The whole matter of international comity is involved, with good feeling between countries, and the friendships of peace. To bring one war to a close, and then immediately to sow the seeds of new wars, is the very imbecility of statesmanship. This is eloquently maintained by Mr. G. Lowes Dickinson, who declares that "if there is any faith among public men, if there is any respect

¹ *The Nation*, August 10, 1916.

for the men who are dying and are yet to die on the battlefields of Europe, the resolutions (for economic war) will never be adopted." For what does it mean to classify certain nations for tariff purposes as "enemy countries" after the war? Plainly, that Europe is to continue to be divided into two hostile camps; and that the natural commercial relations which make for peace are to be cut off or cut into, with the result of causing exasperation and a rush back into the competition in armaments and preparation for new wars.¹

(4)

FOLLY OF INTERVENTION IN MEXICO

If there had been any doubt of the President's firm resolve not to be stampeded into intervention in Mexico by the murderous act of a band of outlaws, that doubt would have been removed by Senator Stone's speech on Friday. Moreover, every day that has passed since the outrage has had the effect not of increasing — as might have been feared — but of markedly allaying the excitement produced by the crime. The swift sequel that came in the shape of the capture and execution of two Villa chieftains was of itself calculated to emphasize the fact that what we are confronted with is not a national offence which calls for war, but a condition of local terrorism which calls for the hunting down of the ruffian crew that are carrying it on. To this task Carranza has pledged himself in the strongest way. "The murderous attack on the passenger train near Chihuahua," he has telegraphed to the Mexican Ambassador at Washington, "was made by the only remaining band of outlaws in that region. This band is being pursued by my troops, with a view to insure its capture; whereupon condign punishment, which their crime deserves, will be applied to every guilty participant." There is no reason to doubt his sincerity; and as it is quite certain, on the other hand, that intervention by us would be the best possible means of indefinitely postponing the suppression of outlawry in Mexico, we may be sure that the sober sentiment of the country will stand behind the President in his refusal to countenance such a folly.²

¹ *The Nation*, July 20, 1916.

² *The Nation*, January 20, 1916.

(5)

NEED OF WELL-ROUNDED GOVERNING BOARDS FOR COLLEGES

THE *Harvard Crimson* vindicates student interest in the election of the Overseers of the University by an editorial protesting against the "over-representation of the capitalists among the nominees," and appealing for the choice of men "as nearly representative of all classes as possible." Here is evidence that the trend towards a Board the great majority of whom are men connected with large corporations is disturbing even to undergraduates. So far as the students take an interest in the Board, they like to feel that all the principal professions and callings for which they are training are represented; that each has its particular spokesman; and that the honor and responsibilities of being an Overseer are not conferred almost exclusively on alumni who engage in business. They have a sense that the well-rounded development of the institution is likely to be better furthered by a well-rounded Board. This feeling the Crimson explicitly asserts, declaring that Harvard has never been solely a rich man's college, and that it is, "above all, cosmopolitan in character." This appeal ought to have some effect upon the election now only a few weeks away.¹

(6)

THE SCHOOL OF TO-MORROW

DR. ABRAHAM FLEXNER's manifesto of a modern school, issued this week by the General Education Board, cuts out at a blow all the tangled controversy of schoolmen over what shall be taught and why. The modern school would include nothing in its curriculum for which an affirmative case cannot now be made out. Grammar, formal history, dead languages, formal mathematics, are in the school now because of tradition and assumption. It is useless to ask whether knowledge of these subjects is valuable. The fact is that children to-day do not get value from them. That is all a modern school need know. What they do get value from is the activities and appreciations of the world about them. This will be the curriculum of the modern school. Children will study not subjects, but objects. The city, with its harbor, its museums and libraries, its zoölogical gar-

¹ *The Nation*, March 9, 1916.

dens, its streets, its lectures, concerts, plays, will be the textbook for the city school. "The man educated in the modern sense will be trained to know, to care about and to understand the world he lives in, both the physical world and the social world." This is the approach. The details, the technique, the paraphernalia of this modern school are now being semi-unconsciously worked out in many different schools. Dr. Flexner's manifesto puts the whole problem as concisely as it can be put. He gives us a standard, upon which progressive educators already agree, and which can be used to test and to judge the individual school. If the teacher is to have an educational creed, this is the creed for the American school of the immediate morrow.¹

(7)

A QUESTION OF COLLEGE DEMOCRACY

At first sight it would seem difficult to call an institution undemocratic which embraces 85 per cent of the members of any community. That is the proportion of the two upper classes taken in by the dining clubs of Princeton. But it is precisely because the dining clubs at Princeton, like the fraternities in all the colleges, take in so many and leave out so comparatively few that they stand out as a caste without anything of the justification that might be pleaded for caste. They are too crowded to be select. Apparently, it has been found that it is enough to leave one man of ten on the outside in order to imbue the other nine with the comfortable feeling of being on the inside. But the protest signed by the Princeton insurgents touches on a point which is really of more significance than the question of democracy. In order to make a club, "a man must repress enough of his individuality to conform to the standards which the upper classmen may determine." The undergraduate, imitative enough at best, submits solemn-eyed to a process of ironing out in reference to standards which he accepts as being handed down from Sinai, instead of the rather childish make-believe they are.²

(8)

VOCATIONAL TRAINING FOR BULLIES

At this season of the year the sophomores are taking great interests in a course not mentioned in the catalogue but given with the tacit

¹ *The New Republic*, April 8, 1916.

² *The Nation*, January 11, 1917.

approval of the faculty, that is, field work in petty tyranny. They are authorized to indulge in one of the most pernicious of human instincts, the abuse of power and the gratuitous interference with the rights of others. The student daily of the largest university of the world puts the common belief with brutal frankness:—

That there should be a certain amount of animosity between the two lower classes is not alone natural, it is also desirable. The old adage that everybody loves a fight holds on the campus as it does elsewhere.

That "everybody loves a fight" is a genial explanation of the state of Europe and it is undeniably "natural" to delight in the annoyance of inferiors, but the campus does not seem a suitable place for the deliberate cultivation of primeval viciousness. Recent regulations have done away with the grosser forms of hazing but have left the moral evil of it untouched. Saving the freshmen from the torture and danger of the old customs is doubtless desirable, but the net gain is slight, since the milder forms of tyranny meet with more general toleration and inflict more lasting injury upon the characters of those who impose them and those who submit to them. To tie a man to the railroad track, to bury him alive or brand him with silver nitrate are not pastimes in which one is apt to find delight after his sophomore days, but the habit of imposing one's will upon others in the matter of dress and conduct is not so easily outlived. A man who has been allowed to dictate to younger and less educated men what color neckties and socks they shall wear, what they shall sing and where they shall walk, is apt to carry into later life the belief in class distinctions and intolerance which his college training has given him.¹

(9)

FIVE DOLLARS A DAY AS A MINIMUM WAGE

"HENRY FORD, with his minimum wage of five dollars a day, has already put the nation to shame," says the *Atlanta Constitution*, writing in advocacy of better pay for the civil-service employees of the Federal Government. Surely, the *Constitution* knows better than that. What Mr. Ford did for his employees was an act of generosity, or liberality, or what you will, made possible by profits of a kind which, it is safe to say, are without parallel in the whole history of industry and commerce. It cannot be pointed to as a stand-

¹ *The Independent*, October 30, 1916.

ard which either private or public employers may be asked to live up to. The situation of private employers who have to strain every nerve in order to make their profits amount to 6 or 10 or 20 per cent on their invested capital has nothing in common with that of a man who has had the amazing fortune of annual profits at the rate of 1000 per cent, or 10,000 per cent. And as for the Government, it is a trustee for the whole people, and the rate of pay it fixes for its employees must be regulated by a due consideration of the rights of the people at large who are the real employer, as well as of the legitimate demands of the civil servants who are the employees.¹

(10)

SHALL WE ADOPT THE METRIC SCALE?

ADOPTION of the metric system by American industry would entail much initial confusion and extensive scrapping of fixed capital. Most manufacturers oppose the reform; most scientists approve it. As Mr. Halsey of the *American Mechanic* puts it, "Those who make things instead of merely measuring them regard the argument for the system as without weight, and the cost of its adoption so great as to make it impossible." Evidently Mr. Halsey regards "merely measuring things," as a function of very slight importance. But with the progress of industry, increasing importance attaches to the measuring function. When all the secrets of our late conversion to munitions exports are out, we shall accord a decidedly lower place in our esteem to the men who make things without too serious concern for the accuracy of their measurements. Machine guns that jam, shrapnel shells that very nearly fit or explode just a little ahead of gauge, are among the impressions of America said to be rather current on the other side. The metric system would not mend us all at once, but its adoption would indicate an intention on our part to admit the scientific claims as to the value of accuracy.²

(11)

A FALSE ANALOGY EXPOSED

MR. HEARST is his own worst enemy. This is a thing difficult for a man to be whose other enemies are so many and so well supplied with munitions. But Mr. Hearst, stimulated by competition, over-

¹ *The Nation*, March 30, 1916.

² *The New Republic*, April 8, 1916.

comes this difficulty. "The newspapers will report this fight," so he has told some of his favorite clergymen, "but they do not approve of fights. The newspapers report the facts about the Waite murder, but they do not approve of murders." No fouler libel has been uttered against Mr. Hearst than what is here implied. In days long past he may have hired a few murderers to write or sign their autobiographies. We do not remember. But when, as the day of an important murder approached, has he published a document purporting to be the murderer's diary, and giving an account of the preparations which all hands were making for the crime? Has he ever advertised in his papers the place where, and the day and hour when, the impending crime would be committed? Has he ever hired an ex-murderer to be present at the stabbing, shooting, or poisoning, and to criticize the same, vicariously, from a technical standpoint? Everybody knows that Mr. Hearst has done none of these things, and that his attitude toward murder is therefore quite unlike his attitude toward prize-fighting. In the case of no murder that we know of has Mr. Hearst been an accessory before the fact.¹

¹ *The New Republic*, April 8, 1916.

APPENDIX XI

SPECIMEN ARGUMENT: LONG EDITORIAL

THE TARIFF: WHO SHOULD REVISE IT?

In all the confusion of this fall's complicated campaign there are two topics on which there is a fairly distinct issue joined between the Republican and Democratic parties: the tariff and the New Nationalism. In this article we propose to define the first issue.

There is a considerable number of men who desire to see no meddling with the tariff. Among them are manufacturers who are getting special advantages from the present tariff, wage-earners who fear, not wholly without reason, that a reduction of the tariff would mean a reduction of their wages, and business men who measure all policies by their immediate effect on business and who dread the disturbance to business which further tariff revision might produce. Nevertheless, it may safely be affirmed that the majority of the voters, both Democratic and Republican, favor some further revision of the tariff. That Democratic voters generally favor revision may be assumed; the evidence lies in the vigorous denunciation of the present tariff by their leaders, platforms, and party organs. That a majority of the Republican voters favor revision is evidenced by the fact that a Republican Congress has created a Tariff Board which is already gathering information as a preparation for such revision. The difference between the parties is not on the question whether there shall be a revision, but on the three questions: —

What shall be the purpose of the revision?

What shall be the method of the revision?

To which party shall the work of the revision be entrusted?

I. The Democratic object in tariff revision is somewhat difficult to define; because in America in all parties local interests more or less modify general principles. General Hancock's statement that the tariff is a local issue is not so funny as it sounded when he made it. Generally Democratic sugar-growers believe in the protection to sugar, Democratic tobacco-growers in protection to tobacco, Democratic wool manufacturers in protection to woolen goods, and so on through all the schedules from A to Z. Nevertheless, if we accept the

utterance of the more advanced and disinterested of the Democratic leaders, it may safely be said that their party looks forward to a tariff for revenue only as the ultimate result of a radical revision.

The Republican Party has clearly defined in its platform its tariff principle, though Republican legislators have not lived up to it. That principle is, "Such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries."

The first question for the voter, then, in so far as the tariff is to determine his vote, is this: Does he wish to enter upon a policy which looks to tariff for revenue only, or does he wish to maintain the protective principle in so far as it may be necessary to keep up American wages to a high standard?

II. The Democratic Party proposes, not a mere adjustment of schedule, but a radical change in tariff; it therefore proposes to call on Congress at its next session to enter upon such a revision. The Republican Party proposed, not a radical change in the tariff, but a readjustment of schedules; it therefore proposes to submit the preparatory work to a non-partisan Tariff Board of experts, which has already been created. This Board is to gather information respecting wages, selling prices, profits, etc., for the purpose of ascertaining what duty, if any, in each case is necessary to prevent foreign manufacturers from underselling American manufacturers in the American market, and so compelling the latter either to lower their wages or go out of business.

III. As to which is the better party to entrust with the work of tariff revision there is not much to be said. Probably the special interests are to-day somewhat more strongly intrenched in the Republican than in the Democratic Party, because the Republican Party has been in power in National politics for so long a time, and where the political power is there the special interests gather together. But it is also true that the war against the domination of the special interests is more vigorously waged in the Republican than in the Democratic Party, and that if the Democratic Party became possessed of power, and proposed to use it, the special interests and their lobby would be as much in evidence as they ever have been.¹

¹ *The Outlook*, vol. 96, pp. 381-83.

APPENDIX XII

SPECIMEN ARGUMENT: SPEECH IN A FORMAL DEBATE¹

QUESTION: "*Resolved*: That, aside from the question of amending the Constitution, it is desirable that the regulating power of Congress should be extended to all corporations whose capitalization exceeds \$1,000,000."

We are here to discuss one single, specific proposition; namely, the plan just brought forward by the affirmative. We are just as desirous as the affirmative can be of remedying present conditions; but we question seriously whether the sweeping extension of Federal power advocated by the affirmative is either necessary or desirable. To appreciate fully how sweeping in character is this remarkable proposal, let us see what regulating power includes.

This is a term used in the Constitution to define the power of Congress over interstate commerce. Its extent has been passed upon by the Supreme Court in a score of cases; and its meaning is therefore to-day not open to the slightest doubt. It includes the power to foster, to encourage, to restrict, to destroy, limited only by the discretion of the regulating agency. Not only is it sweeping, but it is exclusive. The Supreme Court cases distinctly hold that a grant of power to Congress excludes all regulation by the States in that field. The power to regulate extends from the most general operations to the minutest details, and is limited only by the discretion of the regulating agency.

What, then, would this extension of Federal powers advanced by the affirmative mean? It would mean, in the first place, a radical departure from all our present ideas concerning the relation between the States and the Federal Government. At present the Federal Government exercises a general control over affairs of national scope only, and distinctly leaves to the States control — absolute control — over matters of purely local extent; but this remarkable plan brought forward by the affirmative would include all corporations without regard to the nature of the business, without regard

¹ A good opening speech for the negative, from the Cornell-Pennsylvania Debate of 1908.

to the scope and extent of the corporation, and without regard to the power of the States to regulate that corporation. Why, among the corporations that would be affected by this act, some 800, according to Moody's *Corporation Manual*, would be either local public service corporations or corporations which operate only in a single State; that is, it would include light companies and water companies and street railway companies. Over 230 street railway companies would be brought under Federal control by this affirmative proposal. Now, these are neither of national scope nor of national concern. If the Federal principle is to be maintained, a corporation which operates only in a single State, no matter whether it is capitalized at \$1,000,000 or \$10,000,000, should be controlled only by the State in which it operates. The mere number of shares of stock a corporation issues is not what makes it a problem of national concern. Yet, the affirmative must justify this as a line of demarcation between State and Federal authority.

But perhaps the affirmative would justify this plan on the ground of present lack of uniformity in State laws. They say the State laws are so diverse that the States are powerless to control the corporations at present because of lack of uniformity; but I ask you, is lack of uniformity an evil? Is it established that uniformity in State laws would be desirable? There is no uniformity in nature, in resources, in industry, in development. This is a broad country; the needs of Nevada are not the needs of Massachusetts; the interests of the Dakotas are not the interests of Florida; the corporations of these States are as varied as their climates. Yet the remarkable proposal of the affirmative would apply to the cotton mills of Georgia the same general laws of regulation as they would apply to the irrigation companies of Wyoming.

I ask the gentlemen of the affirmative; is not this plan they propose revolution rather than evolution? Is not the principle of American development to try existing powers to their full extent, to proceed slowly, step by step, rather than by one sudden sweeping away of all the corporation laws which are the result of our experience? What is there leading up to this plan? What is the evolution that has preceded it? Have we had any assurance from our past that the Federal Government would be an efficient agency for the control of corporations?

Moreover, have we the present knowledge which entitles us to attempt at this time to solve once for all this great, mighty corporation problem? The problem is comparatively recent. Men have but lately begun to study it, and they disagree even as to the most gen-

eral principles. Why, for instance, Massachusetts a few years ago, in an effort to cure overcapitalization (which the affirmative has complained of) by mere legislative tinkering, passed a law prohibiting the capitalizing of anything except tangible assets. Last winter Massachusetts repealed that law, finding it did absolutely no good, but was productive on the other hand of positive harm to industry and legitimate enterprise. Opinions that men held firmly five years ago, they doubted two years ago and to-day have abandoned. Do we know definitely what we want? Are we sure that the legislation we would enact to-day we would not be ready to repeal to-morrow? Moreover, who is in favor of this remarkable plan brought forward by the affirmative? Who is urging it? What economist, what statesman, would classify corporations — or rather fail to classify — according to the number of shares of stock they issue rather than the nature and scope of the business? In all the discussions before Congress last winter upon this problem, did any one advocate this particular solution? Almost any plan, however wild, will receive for a time a certain degree of support. Did any one of the experts gathered before the Industrial Commission advocate this particular plan? Silence places on the affirmative a strong burden.

The whole plan of the affirmative is characterized by an undue faith in legislative tinkering as a cure for all conceivable ills. They propose a mere legal device, — a mere shifting from one regulating agency to another, and expect the whole corporation problem to be solved. This problem is comparatively new, but they say if one regulating agency has not solved this problem in a few years — a new problem — why, try at once another agency; that is, if a bottle of Kennedy's Burdock Bitters does n't cure at once, try a bottle of Warner's Golden Discovery!

Do not the affirmative fail to consider that the abuses they complain of result not so much from lack of laws and lack of existing powers, as from lack of enforcement of existing laws and the inherent difficulties of the problem? How, for instance, would the affirmative cure the overcapitalization they complain of by mere legislative action? Will mere laws reform the morals of directors? Will mere legislation cure the speculative tendency on the part of the public? What would the affirmative do? We ask them to be specific. Would they have Congress — a body already worked to the limit — regulate the heating of street cars in Portland, Oregon; or would they operate through bureaus and have a bureaucracy, — a commission for the regulation of water works and a board for the heating of street cars? Have we any reason to believe that Congress is more

responsive to public opinion than are the State legislatures? Will Congress provide better legal machinery for the enforcement of its laws? Are Federal laws harder to evade than State laws?

Ladies and gentlemen, the proper spirit in which to approach this mighty question is in a spirit of conservatism. Is it not better for us to try out existing powers to the limit, — to proceed slowly, step by step, rather than to fly from one regulating agency to another and experiment with evils whose force we do not appreciate? Remember, that the conspicuous errors in our history were the result of cases where we took abrupt and quick steps without a slow process of evolution. It is better to proceed carefully, to gather all knowledge on this important subject, rather than to accept a sweeping proposition unprecedented in our history, evolving out of nothing and unsupported by authority or experience.

APPENDIX XIII

SPECIMEN ARGUMENT: PRESIDENTIAL ADDRESS ADDRESS OF PRESIDENT WILSON BEFORE THE SENATE OF THE UNITED STATES, JANUARY 22, 1917

GENTLEMEN OF THE SENATE: On the 18th of December last I addressed an identic note to the governments of the nations now at war requesting them to state more definitely than had yet been stated by either group of belligerents the terms upon which they would deem it possible to make peace. I spoke on behalf of humanity and of the rights of all neutral nations like our own, many of whose most vital interests the war puts in constant jeopardy.

The Central Powers united in a reply which stated merely that they were ready to meet their antagonists in conference to discuss terms of peace.

The Entente Powers have replied much more definitely and have stated in general terms, indeed, but with sufficient definiteness to imply details, the arrangements, guarantees and acts of reparation which they deem to be indispensable conditions of a satisfactory settlement.

We are that much nearer a definite discussion of the peace which shall end the present war. We are much nearer the discussion of the international concert which must thereafter hold the world at peace. In every discussion of the peace that must end this war it is taken for granted that that peace must be given by some definite concert of power which will make it virtually impossible that any such catastrophe should ever overwhelm us again. Every lover of mankind, every sane and thoughtful man, must take that for granted.

I have sought this opportunity to address you because I thought that I owed it to you, as the council associated with me in the final determination of our international obligations, to disclose to you, without reserve, the thought and purpose that have been taking form in my mind in regard to the duty of our Government in these days to come, when it will be necessary to lay afresh and upon a new plan the foundations of peace among the nations.

It is inconceivable that the people of the United States should play no part in that great enterprise. To take part in such a service will be the opportunity for which they have sought to prepare themselves by the very principles and purposes of their polity and the approved practices of their Government ever since the days when they set up a new nation in the high and honorable hope that it might in all that it was and did show mankind the way to liberty. They cannot, in honor, withhold the service to which they are now about to be challenged. They do not wish to withhold it. But they owe it to themselves and to the other nations of the world to state the conditions under which they feel free to render it.

That service is nothing less than this — to add their authority and their power to the authority and force of other nations to guarantee peace and justice throughout the world. Such a settlement cannot now be long postponed. It is right that before it comes this Government should frankly formulate the conditions upon which it would feel justified in asking our people to approve its formal and solemn adherence to a league for peace. I am here to attempt to state those conditions.

The present war must first be ended; but we owe it to candor and to a just regard for the opinion of mankind to say that so far as our participation in guarantees of future peace is concerned it makes a great deal of difference in what way and upon what terms it is ended. The treaties and agreements which bring it to an end must embody terms which will create a peace that is worth guaranteeing and preserving, a peace that will win the approval of mankind; not merely a peace that will serve the several interests and immediate aims of the nations engaged.

We shall have no voice in determining what those terms shall be, but we shall, I feel sure, have a voice in determining whether they shall be made lasting or not by the guarantees of a universal covenant and our judgment upon what is fundamental and essential as a condition precedent to permanency should be spoken now, not afterwards, when it may be too late.

No covenant of coöperative peace that does not include the people of the new world can suffice to keep the future safe against war, and yet there is only one sort of peace that the peoples of America could join in guaranteeing.

The elements of that peace must be the elements that engage the confidence and satisfy the principles of the American Government, elements consistent with their political faith and the practical con-

victions which the peoples of America have once for all embraced and undertaken to defend.

I do not mean to say that any American government would throw any obstacle in the way of any terms of peace the governments now at war might agree upon or seek to upset them when made, whatever they might be. I only take it for granted that mere terms of peace between the belligerents will not satisfy even the belligerents themselves.

Mere agreements may not make peace sure. It will be absolutely necessary that a force be created, as a guarantee of the permanency of the settlement, so much greater than the force of any nation now engaged or any alliance hitherto formed or projected, that no nation, no probable combination of nations, could face or withstand it. If the peace presently to be made is to endure it must be a peace made secure by the organized major force of mankind. The terms of the immediate peace agreed upon will determine whether there is a peace of which such guarantee can be secured. The question upon which the whole future peace and policy of the world depends is this: —

Is the present war a struggle for a just and secure peace or only for a new balance of power? If it be only a struggle for a new balance of power, who will guarantee, who can guarantee, the stable equilibrium of the new arrangement? Only a tranquil Europe can be a stable Europe. There must be, not a balance of power, but a community of power; not organized rivalries, but an organized common peace.

Fortunately, we have received very explicit assurances on this point. The statesmen of both of the groups of nations now arrayed against one another have said in terms that could not be misinterpreted that it was no part of the purpose they had in mind to crush their antagonists. But the implications of these assurances may not be equally clear to all — may not be the same on both sides of the water. I think it will be serviceable if I attempt to set forth what we understand them to be.

They imply first of all that it must be a peace without victory. (It is not pleasant to say this. I beg that I may be permitted to put my own interpretation upon it and that it may be understood that no other interpretation was in my thought. I am seeking only to face realities and to face them without soft concealments.) Victory would mean peace forced upon the loser, a victor's terms imposed upon the vanquished. It would be made in humiliation, under duress, at an intolerable sacrifice and would leave a sting, a resent-

ment, a bitter memory upon which terms of peace would rest, not permanently, but only as upon quicksand.

Only a peace between equals can last; only a peace the very principle of which is equality and a common participation in a common benefit. The right state of mind, the right feeling between nations, is as necessary for a lasting peace as is the just settlement of vexed questions of territory or of racial and national allegiance.

The equality of nations upon which peace must be founded, if it is to last, must be an equality of rights; the guarantees exchanged must neither recognize nor imply a difference between big nations and small, between those that are powerful and those that are weak. Right must be based upon the common strength, not upon the individual strength of the nations upon whose concert peace will depend. Equality of territory or of resources there, of course, cannot be; nor any other sort of equality not gained in the ordinary peaceful and legitimate development of the peoples themselves. But no one asks or expects anything more than an equality of rights. Mankind is looking now for freedom of life, or for equipoises of power.

And there is a deeper thing involved than even equality of rights among organized nations. No peace can last, or ought to last, which does not recognize and accept the principle that governments derive all their just powers from the consent of the governed, and that no right anywhere exists to hand peoples about from sovereignty to sovereignty as if they were property.

I take it for granted, for instance, if I may venture upon a single example, that statesmen everywhere are agreed that there should be a united, independent and autonomous Poland, and that henceforth inviolable security of life, of worship and of industrial and social development should be guaranteed to all peoples who have lived hitherto under the power of governments devoted to faith and purpose hostile to their own.

I speak of this not because of any desire to exalt an abstract political principle which has always been held very dear by those who have sought to build up liberty in America, but for the same reason that I have spoken of the other conditions of peace which seem to me clearly indispensable because I wish frankly to uncover realities.

Any peace which does not recognize and accept this principle will inevitably be upset. It will not rest upon the affections or the convictions of mankind. The ferment of spirit of whole populations will fight subtly and constantly against it, and all the world will

sympathize. The world can be at peace only if its life is stable, and there can be no stability where the will is in rebellion, where there is not tranquillity of spirit and a sense of justice and freedom and right.

So far as practicable, moreover, every great people now struggling towards a full development of its resources and of its powers should be assured a direct outlet to the great highways of the seas. Where this cannot be done by the cession of territory, it can no doubt be done by the neutralization of direct rights of way under the general guarantee which will assure the peace itself. With a right comity of arrangement no nation need be shut away from free access to the open paths of the world's commerce.

And the paths of the sea must alike in law and in fact be free. The freedom of the seas is the *sine qua non* of peace, equality and co-operation. No doubt a somewhat radical reconsideration of many of the rules of international practice hitherto sought to be established may be necessary in order to make the seas indeed free and common in practically all circumstances for the use of mankind, but the motive for such changes is convincing and compelling. There can be no trust or intimacy between the peoples of the world without them.

The free, constant, unthreatened intercourse of nations is an essential part of the process of peace and of development. It need not be difficult to define or to secure the freedom of the seas if the governments of the world sincerely desire to come to an agreement concerning it.

It is a problem closely connected with the limitation of naval armaments and the coöperation of the navies of the world in keeping the seas at once free and safe. And the question of limiting naval armaments opens the wider and perhaps more difficult question of the limitation of armies and of all programmes of military preparation. Difficult and delicate as these questions are they must be faced with the utmost candor and decided in a spirit of real accommodation if peace is to come with healing in its wings and come to stay.

Peace cannot be had without concession and sacrifice. There can be no sense of safety and equality among the nations if great preponderating armaments are henceforth to continue here and there to be built up and maintained. The statesmen of the world must plan for peace and nations must adjust and accommodate their policy to it as they have planned for war and made ready for pitiless contest and rivalry. The question of armaments, whether on land

or sea, is the most immediately and intensely practical question connected with the future fortunes of nations and of mankind.

I have spoken upon these great matters without reserve and with the utmost explicitness because it has seemed to me to be necessary if the world's yearning desire for peace was anywhere to find free voice and utterance. Perhaps I am the only person in high authority among all the peoples of the world who is at liberty to speak and hold nothing back. I am speaking as an individual and yet I am speaking, also, of course, as the responsible head of a great government and I feel confident that I have said what the people of the United States would wish me to say.

May I not add that I hope and believe that I am in effect speaking for liberals and friends of humanity in every nation and of every programme of liberty? I would fain believe that I am speaking for the silent mass of mankind everywhere who have as yet had no place of opportunity to speak their real hearts out concerning the death and ruin they see to have come already upon the persons and the homes they hold most dear.

And in holding out the expectation that the people and Government of the United States will join the other civilized nations of the world in guaranteeing the permanence of peace upon such terms as I have named, I speak with the greater boldness and confidence because it is clear to every man who can think that there is in this promise no breach as a nation, but a fulfillment rather of all that we have professed or striven for.

I am proposing, as it were, that the nations should with one accord adopt the doctrine of President Monroe as the doctrine of the world; that no nation should seek to extend its policy over any other nation or people, but that every people should be left free to determine its own policy, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful.

I am proposing that all nations henceforth avoid entangling alliances which would draw them into competitions of power, catch them in a net of intrigue and selfish rivalry and disturb their own affairs with influences intruded from without. There is no entangling alliance in a concert of power. When all unite to act on the same sense and with the same purpose all act in the common interest and are free to live their own lives under a common protection.

I am proposing government by the consent of the governed; that freedom of the seas which in international conference after conference representatives of the United States have urged with the eloquence of those who are the convinced disciples of liberty; and

that moderation of armaments which makes of armies and navies a power for order merely, not an instrument of aggression or of selfish violence.

These are American principles, American polices. We can stand for no others. And they are also the principles and policies of forward looking men and women everywhere, of every modern nation, of every enlightened community. They are the principles of mankind and must prevail.

APPENDIX XIV

SPECIMEN ARGUMENT: AN INFORMAL ORAL DISCUSSION¹

SHOULD THE UNITED STATES JOIN THE LEAGUE TO ENFORCE PEACE?

WILLIAM HOWARD TAFT, *for the Affirmative*

THE League to Enforce Peace is an association organized through the activities of three or four gentlemen who were first dazed with the defeat of their hopes by the outbreak of the war and who, after they recovered themselves, thought it was wise to bring together as many interested in the subject as they could within the cosy limits of the Century Club at dinner. There is something about a dinner that always helps to promote agreement. It creates a desire to be unanimous. Much to the surprise of the twenty gentlemen who were there, we did agree, and then, lest we might not hide our light under a bushel or lose for lack of appreciation of the importance of our own work, we shrunk from the public gaze by gathering at Independence Hall in Philadelphia, and there we agreed upon the platform with very few changes.

I recite in general what the platform is, not because I think that most who are here do not know it, but merely for the purpose of refreshing their recollection and making it the basis of my remarks, which are directed toward some controverted features in the practical working of the plan. The plan contemplates an international agreement signed by as many powers as can be induced to sign it. The first provision is for a permanent court of justice international, with jurisdiction to consider and decide all controversies of a justiciable character arising between two or more members of the League, the power of the court to be extended to passing upon questions finally and in a binding way upon whether the issue presented is a justiciable one and therefore, within the jurisdiction of the court. The second provision is that all questions not of a justiciable character, leading to differences between two or more members of the

¹ Abridged from Pamphlet No. 106, September, 1916, of the American Association for International Conciliation, New York. Addresses at the Lake Mohonk Conference, 1916.

League, are to be presented to a commission, before which evidence is to be introduced, arguments are to be made and then the commission is to recommend something in the nature of a compromise. The third provision is that if any one member of the League, violating its pledged faith, shall begin hostilities against any other member of the League before the questions creating the trouble have been submitted either for decision by the court or for recommendation by the commission, then all the other members of the League agree to defend the member prematurely attacked against the one who begins the hostilities; and to use, first, economic means, and then military force for that purpose. The fourth plank provides that international congresses shall be convened with representatives from all members of the League, who shall consider the subject of international law, shall extend it in a legislative way and submit the changes thus agreed upon to the nations constituting the League. If there is no objection within a year, then the rules changing or extending existing international law shall be considered as rules for the decision of the permanent court.

It would seem that many had been waiting for the formulation of some such proposals, and if I may judge from the comments on them, what attracts is its affirmative and constructive quality in the proposition that physical force be added to the weight of moral force in order to prevent a general war, with the hope that the threat will be enough without actual resort to military or economic means.

Now I want to emphasize in this plan a number of its features, with a view of taking up some of the objections. First, I would like to emphasize the distinction between justiciable and non-justiciable. That has led to the division into a court and a commission, the court to consider justiciable questions, the commission to consider non-justiciable questions. Non-justiciable questions are those which cannot be settled according to the principles of law or equity. The justiciable ones are those that can be so settled. There are a great many non-justiciable questions that can arise between nations that may well lead to war, and in that respect is not so different in our domestic life. Take the case of Mrs. A., who has a lawn upon which she allows the children of Mrs. B. to play, Mrs. B. being a neighbor, and Mrs. C. is the neighbor on the other side and she does not let Mrs. C.'s children play on that lawn because she has had some previous experience with Mrs. C.'s children and she finds that they are young mustangs and dig up the lawn and tear the flowers and everything of that sort. Now she has a perfect right to say who shall come on that lawn and who shall not, but there well may be an issue be-

tween Mrs. C. and Mrs. A. growing out of that discrimination. It is non-justiciable; you cannot settle it in court, unless perhaps Mr. C. comes home and Mrs. C. tells Mr. C. about it and asks him to go over and see Mr. A. about it; then you may have a justiciable question. [Laughter.] But the issue then is not whether Mrs. A. was right in her judgment of Mrs. C.'s children and her discrimination against them in favor of Mrs. B.'s; the justiciable issue usually settles down to the ultimate fact whether Mr. A. or Mr. C. hit first.

This is a domestic illustration, but we are having just such a situation with respect to Japan and China. We have a right to exclude the Japanese if we please; we have a right to exclude the Chinese. We are a bit inconsistent; we wish the Chinese trade, but we do not care for the Chinese. We have a color scheme in our immigration and naturalization laws; it is limited to black and white and we are very fastidious about the browns and yellows. Such a question may very well lead to friction and lead to something worse. I give that as an illustration of a non-justiciable question which in some way or other must be provided for.

Objection has been made to giving to the permanent court the power to decide whether the question before it is justiciable or not; in other words, the power to decide upon its own jurisdiction. This is not giving it any executive power. Every domestic court has it. The question whether an issue is one of law or equity is a question that such a court is entirely competent to decide. It has been suggested that we ought to have the military forces of all those connected with the League, not only to prevent a hasty beginning of war before submission, but that we ought to have all bound to use their economic and military forces to enforce the judgment rendered. Well, that was made the subject of very considerable thought, but it was finally concluded that we ought not to be over-ambitious. It was thought that if we could stop hostilities until there had been a full hearing of a dispute, the introduction of evidence and the argument and delay incident to all that, that we might reasonably count on some settlement between the parties after they had had the time to think which was necessarily given by the discussion, the hearing and the delay.

Now it is said that this leaves something too open and that war may creep in. I agree; it does, and anybody that says that he has got a machine that will work every time to keep away war, says something that I cannot credit. I believe he is sincere if he says it, but I think his conclusion impeaches his judgment some. I feel that we cannot make progress if we are going to attempt the impossible,

because I think the whole plan will break down and the breaking down will be worse than if we attempted less and succeeded in it. Now the opportuneness of these proposals is growing more and more apparent.

A gentlemen came to see me the other day who had had conferences with Sir Edward Grey, with Monsieur Briand and with Mr. von Jagow, in which he discussed the proposals of the League to Enforce Peace. He reported to me that Messrs. Grey and Briand did not see how a satisfactory peace could be established unless it was on condition of some such international agreement as this of the League to Enforce Peace. Mr. von Jagow thought the plan was a good one but he doubted whether it could be adopted. Of course this is a working hypothesis. In detail it may be changed, but the general proposal that by the united force of all the powers of Europe the hot-heads in two nations shall be restrained from involving the whole of the world in another such disaster, is too good to give up. That idea ought to be cultivated, and European nations look to the United States to lead in the matter.

Now I want to consider some of the objections that have been made. The first objection is that membership in the League is impracticable for us because it would require a great standing army for us to perform our part of the obligation in the third clause. Well, I do not think that is a considered objection. We are now engaged in a campaign for reasonable preparedness, and the limits of what that preparedness should be are gradually being hammered out. Certainly if that which seems to be regarded as a reasonable military army force and naval force is to be maintained, then it will furnish all that we need to contribute to any joint force to carry out our part of the obligation. It must be borne in mind that we shall only be one of a number of contributors if the plan can be carried out. Now there are many who say that they are not in favor of this plan but they are in favor of an international police force. Well, what is the difference? We do not claim any patent on this plan and we are quite willing to call it an international police force, but it must be constituted in a practical way, and when the joint forces are united and are doing the police duty of the world, it is true to say that they are not carrying on war, but enforcing justice.

In the second place, there is a constitutional objection. That does not strike me as very formidable. Perhaps it is because I know something about the Constitution. At least I am trying to teach it, and if there is anything that makes you know something about a subject it is to try to teach it. It is said in the first place that the

provision for a permanent court is unconstitutional in that it delegates the power to a tribunal to decide questions concerning the foreign relations of this country which must be decided by the President or by the President and the Senate or by the President and Congress. Well, if that be true, then we cannot have any arbitration of any sort and agree to abide by it. That same delegation is involved in every arbitration that we have had. We have agreed when we went into an arbitration that what the tribunal decides is to bind us. To that extent we yield our discretion and liberty to control our own action by the judgment of another. Now, in Jay's Treaty we had a provision for an arbitration in 1794, and Professor Scott, who is always accurate, says that we have had forty such arbitrations since. The truth is, it is not a delegation of power to agree to create a court, and abide its judgment. The nation as a sovereign agrees to consent to the creation of a court and its judgment, just as a person may consent to an arbitration. The sovereign has as much power in that regard as a person.

Now the second constitutional objection is that, in the third clause, where it is agreed that the nations of the League not engaged in the controversy shall unite their forces, economic and military, to enforce submission, we bind ourselves to make war, and that as Congress alone has the power to declare war, we take away from Congress this power and agree to change the structure of our government. Well, the slightest analysis will show the utter lack of foundation for any such objection. The treaty-making power of the Government is in the President and Senate, two thirds of the Senate. When a treaty is made, it binds the whole Government, it binds the House of Representatives, it binds the Senate, it binds the President, it binds the people of the nation, in whose behalf and name it is made. Congress is to declare war; therefore, when the treaty-making power has made a treaty involving the United States in the obligation to declare war, it is for Congress to declare war and exercise the constitutional function that it has to declare war.

Now, how does that interfere with the normal operation of the machinery as provided by the Constitution? Well, if it does, we have been violating the Constitution right along. When we entered into that arrangement with Panama in respect to the Zone and acquired dominion over that Zone for the purpose of building the canal, what did we agree? We guaranteed the integrity of Panama. What does that mean? It means that we bound ourselves by that treaty that if any nation attempted to take away any territory from Panama or to subvert her government, we would fight. Now who

would arrange the fighting? Would n't it be Congress? Does n't that bind Congress to make war? She has the right to violate the obligation if she chooses. Does that make the treaty unconstitutional? We have guaranteed the integrity of Cuba, which means that no foreign nation can come in there and take any of her territory or subvert her government. Is that constitutional? It binds Congress to make war just as this does, and it does not do any more, and Congress may violate the plighted faith of the nation if it chooses, but it does not change the constitutional obligation and power on the part of Congress to make war. That is all "constitutional."

Then, of course, there is that objection to force. I am not going to argue, I am not going into that question of pacifism. I think I could argue with them in quietness and peace. I am certainly not disposed to call those who are pacifists names, because I want to convince them of their errors, and my observation is that it never helps you to convince a man when your major premise is that in his then state of mind he is a fool. Ordinarily with that major premise, he is inclined to stick to his denial of the correctness of the conclusion. The Society of Friends has always advocated non-resistance. They have not always been consistent in it, as the Connecticut people who took Connecticut grants over into Pennsylvania and tried to live on the lands under those grants found out; they found that non-resistance did not work there. Nevertheless the Society of Friends has usually been consistent and I always differ with them with the utmost reluctance, because you can look back three hundred years and find many things advocated then which seemed far away from anything that was reasonable in the views of the ordinary common-sense individual in those days and see now how they have come to be regarded as axiomatic. I feel like opposing that particular denomination, therefore, with very considerable reluctance and great respect for their views; but nevertheless I do not think that we have reached the time when force, as an aid to moral impulse, can be dispensed with.

The modern anarchist, if I understand it — I do not mean the gentleman who begins his argument with you by blowing you up — but I mean him who theoretically sustains the doctrine that if we could get rid of government entirely and all restraint and bring up children with the understanding that each was to act on his own responsibility, his or her own responsibility, and was to have no restraint of any kind, that, when they became adults, they would know just exactly what they ought to do first and then they would do it — I sometimes think we have begun this practice with our chil-

dren — still I do not think that human nature is so constituted that the theory will work; we still need a police force at home to enforce laws, and it seems to me that a police force, if we can arrange it with respect to nations, may be made most useful and that its existence and the threat of using it may make the use of force by one nation in controversies between nations much less frequent.

Then there is the objection to the entangling alliances against the injunction of Washington, which we have heretofore observed; still I agree this is a serious objection, one to be carefully considered. Of course when Washington talked, he had in mind that very annoying treaty he had made with France during the Revolutionary War, which of course helped us in our Revolution, but subsequently involved us in some very uncomfortable obligations to France in her war with Great Britain. He had in mind an alliance with one nation against another, perhaps. This of course is different from that, it is hoped that it will embrace all the nations of the world, at least all the world. Nevertheless, I agree that it is a departure from the principle as he stated it, and we can only justify it on the ground that our situation is very different from what it was when Washington spoke. He was then five times as far from Europe as we are to-day, if you can judge by the speed of transportation, and twenty-five times in matter of communication. He was twenty-five times as far from Asia, if you can consider that Asia was any considerable quantity at all in our foreign relations at that time, as it is now. Now we are a hundred million people and reach from ocean to ocean; we have Alaska, a dominion in itself, purchased by Seward in 1867, a place where a base of operations could easily be made for an attack on the Pacific Coast. We have the Hawaiian Islands and we have the Philippines.

Then we have the friction with Japan and China. We wish to keep the open door and it is closing a bit. Then we have got the Panama Canal, an investment of four hundred millions, to unite the eastern and the western seaboard, to double the force of our navy, it may be; that makes us almost a South American power. Then we own Porto Rico, fifteen hundred miles out at sea from Florida. Then we do not own, but we have a relation to Cuba that is even more likely to involve us in trouble than if we did own it. We have guaranteed her integrity and we have reserved to ourselves the right to go in and suppress insurrection and we have had to do it once. Then we have Mexico; that is an international nuisance that is likely to entail, I am sorry to say, greater burdens on us than we would like. And then we have our relations to Europe.

Now the question which I want to put to you is whether, in view of the strained relations that we have had with Germany, for instance, in view of the questions that have arisen between us and England, in pursuing the indifferent course of a neutral, as I believe we have done, and yet coming so close to war as we have, we can say that we are any more likely to be kept out of war by remaining a neutral and avoiding such an alliance as this we here propose than if we went in and availed ourselves and made ourselves part of the great power of allies in such an agreement to stop war and to prevent its involving such a disaster to human progress.

WILLIAM JENNINGS BRYAN, *for the Negative*

Before taking up the subject which I desire to discuss, I am sure that my distinguished friend [Mr. Taft] will pardon me if I dwell for a moment upon the plans of the League to Enforce Peace, and I will say to you that, in dissenting from those who support those plans, I give myself more embarrassment than I give those who represent the views from which I dissent. I know the distinguished gentleman who is at the head of this League too well to doubt for a moment that he desires to have every possible criticism candidly stated, for I know him well enough to know that he desires the triumph of that which is right much more earnestly than he desires the triumph of any particular thing in which he may believe. [Applause.] And I think that that can be said in general of those who assemble here, for this is rather a unique organization; it is composed of those who have no pecuniary interest in the subjects which they discuss, and therefore each one speaks in a disinterested way. While he proclaims what he believes, he is at the same time a seeker after truth. The names of those who stand sponsor for this League to Enforce Peace create a very strong presumption in its favor, but it seems to me, as I view it, that there are four objections to the plan and that these objections are of such great weight and importance that they deserve to be considered by those who have this plan in contemplation or who are inclined to support it.

The first is that it involves us in entangling alliances with Europe, and that we, therefore, cannot adopt it without abandoning the advice of Washington which has been followed thus far and I believe will continue to be followed by the American people. I have not the slightest thought that any argument that can be presented in behalf of any plan that connects us with the quarrels of Europe will ever

bring to the support of that plan anything like a majority of the American people.

Now, as I understand this plan, we are to agree with other nations of the world to enforce peace and to enforce it by compelling all of the contracting parties to submit all of their controversies for investigation before going to war. I need not tell you that the plan of investigating all questions is one that I heartily approve. It is now more than ten years since I began to urge in this country and in other countries a plan which has finally been embodied in thirty treaties, which submits every question of dispute of every kind and character to investigation and gives a period of a year for that investigation, during which time the contracting parties agree that there shall be no resort to force. I am committed to the plan of investigation. The point I make is this, that, when we join with other nations to enforce that plan, we join with them in attempting to settle by force the disputes of the old world. While the chances of a resort to force may be very remote, I am not willing to speculate on a proposition about which we can know absolutely nothing; I am not willing that this nation shall put its army and navy at the command of a council which we cannot control and thus agree to let foreign nations decide when we shall go to war. Now, if I understand this plan, you cannot agree with other nations to enforce peace by compelling the submission of all questions to investigation before war, without lodging with some power somewhere the right to decide when that force shall be employed. We cannot hope to have a controlling influence in that body; I assume that it would be impossible to secure any kind of an agreement which would leave us to decide when these nations would enforce a proposition. My first objection, therefore, is that it necessarily entangles us in the quarrels of Europe and that we would go, blindfolded, into an agreement, the extent and effect of which no human mind can know.

The second is that if we join with Europe in the enforcement of peace over there, we can hardly refuse to allow Europe to join in the enforcing of peace in the Western Hemisphere. If I understand the sentiment of the American people, there is not the slightest thought in the American mind of surrendering the Monroe Doctrine, or of inviting any foreign nation to assist us in maintaining peace in the Western Hemisphere. [Applause.] This is the second objection.

The third is that our Constitution vests in Congress the right to declare war and that we cannot vest the power to declare war in a council controlled by European nations without changing our Constitution. The suggestion that we so amend our Constitution as to

vest in a body, whose control is across the sea, the right to declare war would not be popular in the United States. If we are to change the Constitution from what it is now, I am in favor of putting the declaring of war in the hands of the people, to be decided by a referendum vote of the American people. This is quite different from surrendering, into the hands of a foreign body, the right to determine when this nation shall take up arms.

The fourth objection that I see to this plan is fundamental and cannot be changed by a suggestion that I shall make in a moment. The fourth objection is that when we turn from moral suasion to force, we step down and not up. I prefer to have this nation a moral power in the world rather than a policeman. Therefore, while I have no doubt whatever of the high motives and of the laudable purpose of those who stand for the doctrines of the League, I cannot bring myself to believe that it is a step in advance.

Now, three of the objections mentioned might be obviated if we divided the world into groups, the American group being entrusted with the maintenance of peace in the Western Hemisphere. I would be much more willing to join with the Republics of Central and South America in any plan that would compel the submission of all disputes in this hemisphere to investigation before war; I would be much more willing to do that than to favor a plan that would bind us to enforce decisions made by nations across the ocean, or even obligate us to join European nations in *compelling* investigation before war.

And in addition to all the other objections, and there are so many that I shall not take time to give them all — in addition to all other objections that may be made to this League, when it embraces European nations and puts them in a position where they can decide questions of war for us, there is this consideration that I think will not be treated lightly by the American people. If we are in a group of American Republics, we are associated with people having our form of government, but the moment we cross the ocean, we tie ourselves to a theory of government from which our people dissented a century and a third ago. If I understand the heart of the American people, they still believe that there is an essential difference between a monarchy and a republic. So long as the European monarchies vest in their executives the right to declare war, it seems to me that the American people can well refuse to tie themselves to these countries and become thus “unequally yoked together.”

As I said, if we are going to have any change in our Constitution, I want it to be a change in the direction of democracy and not a

change in the direction of monarchy. If I understand the spirit of our nation and the sentiment of our people, you will find that when this becomes a practical question and comes before them for adoption or rejection, they will consider very seriously before they will join this country to the countries with hereditary rulers and thus give to these rulers an influence over us which we refuse to give to our own executives.

Now I have presented, as briefly as I could, the objections that I see to this plan to enforce peace, and I shall be very glad if it can be so modified as to make it consistent and harmonious with the ideas of the American people and the institutions of the United States, for these gentlemen do not surpass me in the desire to do whatever can be done to make war impossible.

APPENDIX XV

SPECIMEN ARGUMENT: CONTROVERSY IN PERIODICAL LITERATURE

SHOULD UNIVERSAL MILITARY SERVICE BE COMPULSORY?

DISCUSSION BY RALPH BARTON PERRY AND NORMAN ANGELL

(*Abridged*)

THE FREE MAN AND THE SOLDIER¹

BY RALPH BARTON PERRY

WHEN General Miles on a recent occasion expressed himself as opposed to universal military service, he was quoted as saying that the American people would never allow themselves to be "Prussianized." It is customary to say that if a people is to be trained to arms they must become spiritually or fundamentally "regimented." This dictum has usually passed unchallenged. It is regarded as a sort of axiom, which even the extremest advocates of preparedness are rarely bold enough to deny. And yet, curiously enough, even the superficial facts are against it. Thus, whatever we mean by that individualism which we prize, we do not look to China for examples of it. China, whether justly or unjustly, signifies to occidental minds that very uniformity and stagnation which points the moral; and yet China is notable among the nations for its lack of military discipline. France, on the other hand, was for centuries the most soldierly nation of Europe, and has in recent years made the most exacting military demands upon her citizens. Yet France remains preëminently liberal and cosmopolitan. France is a perpetual source of novelty, of modernisms and futurisms, of those departures from tradition and type, those excesses and daring conceits which scandalize and inspire, and which spring from a free mind roaming at large in its world.

What shall we say of ourselves? We have been let alone for half a century. No drill-master has taught us to keep alignments and intervals or to step a regulation thirty inches. No bugle-call has intruded upon our private affairs and summoned us to march the

¹ From *The New Republic*, March 25, April 8, 22, and 29, 1916. Abridged.

same road. We have not been swept by collective passion or articulated in any smooth-working mechanism. But what have we been doing? Have we become individuals? Are we notable among the nations as a race of ample personalities? Are our laboring men notable for self-respect and self-sufficiency? Does our leisured class breed creative genius, or our political life leadership and constructive statesmanship? What, then, is this individualism which we are so afraid to lose? Let us be willing to say of ourselves what we would not unnaturally resent if it were uttered by an alien critic. We are a bit sodden, a bit too fond of what money will buy. We are not guiltless of hiring an army in order to enjoy our Carthaginian ease. We enjoy irresponsibility as the child enjoys it. Some few, having a day full of "engagements" and pastimes, would like to be left uninterrupted. The great majority are solaced by the hope of rising in life to the same privilege or are embittered by their exclusion from it. The absence of discipline has not, then, perfected us as individuals, though it may have tolerated our selfishness and spread wide the envious hope of making a fortune. Indeed, the absence of a more conscious and rational collectivism has rendered us peculiarly defenseless against factional solidarities, against vogues and fads, against contagious sentimentalities and unscrupulous demagoguery. We are notoriously afraid of the mass opinion that we help to create. We have the greatest respect for the normal, and are quick to catch and echo the popular note. There are so many ears to the ground that there is often nothing to hear except the confused noise created by so much listening.

When we turn to our political liberties, on the other hand, we can speak with greater confidence. Liberty of the press, trial by jury, freedom of speech, popular government, self-respecting civic autonomy, these are solid goods. These we justly believe to be spiritual achievements by which we would like history to know us. But these are collective achievements, founded in organization and secured by organization. We do not owe them to our laxity and incohesiveness, but to constitutions and to laws. They exist not by virtue of private self-assertion, but by virtue of a disciplined regard for the rights of others. We owe them to that tradition and experience which impels us with loyal accord to support a system that defines our mutual relations and establishes our collective life.

If we cannot point to ourselves as bright examples of the blessings of undisciplined freedom, there remains, perhaps, the example of England, or the contrast of England and Germany. It will be said that England has owed her superior individualism to her lack of just

such military organization and discipline, and that Germany has sacrificed individualism in order to possess them. It is important to avoid confusing causes and effects, or assuming without reason that things which happen together are therefore causally and inseparably related. The Englishman's opposition to universal military service is undoubtedly associated in his own mind with the individualism he admires and claims as his own. But the opposition is not, I think, so much a logical defense of his individualism as a temperamental expression of it, a sort of psychological by-product. He would prefer to serve his country in war just as he would prefer to do anything else, as a matter of "sport," or from the motive of noblesse oblige, or out of fondness for tradition. He does n't like anything that looks too orderly and prescribed, too freshly and deliberately made. Universal military training is too rational, too schematic, too exclusively mindful of the bare utilities and essentials. The Englishman shrinks from it as he shrinks from an adequate national system of education, or from the metric system, or from phonetic spelling. If it could only become a tradition like royalty and the top-hat, or an adventure like governing India and playing football, or a matter of instinct like the morning tub, he would cling to it until it had long since become obsolete. For the military virtues in themselves are unobjectionable.

That it is the methodical rather than the compulsory element in a universal system of training and service which has stood in the way of its acceptance in England, appears in the readiness with which the pressure of public opinion is used as a means of coercion. The voluntary theory implies that men *shall* volunteer. It does not mean that men shall freely choose to serve or not to serve, according to taste or aptitude, but that they shall choose *service* according as national exigencies shall dictate. In practice this leads inevitably to the ugliest sort of coercion. Many men who nominally volunteer are as a matter of fact shamed into it. They are shamed into it at first by example. If that does not suffice they are called hard names, such as "slackers." Unorganized pressure gives place in time to organized pressure. The whole process, in short, is one of first conferring rights and then outraging them by sheer force.

Universal military service is otherwise opposed in England for economic reasons of a very different sort. The laboring man not unjustly feels that he is a creditor and not a debtor in his relations to the state. To him compulsory service savors of tyranny because it is imposed upon him by an authority that has neglected him. The tradition of *laissez-faire*, which has taught him that he must look

out for himself, has not taught him to be grateful. In so far as the state absolves itself of responsibility it can impose no obligations. The moral of this difficulty is not that universal military service should therefore be rejected, but that the state should inspire and deserve the loyalty of its citizens through a just regard for their needs.

If England affords no evidence that the absence of universal military service is the cause of an individualism that is worthy and admirable, it will yet be argued that Germany illustrates the blighting effects of its adoption. But this is not a direct and necessary consequence of its military mechanism. It is due to the purpose which directs that mechanism: to the spirit which dominates it, and the use which is made of it. The army is the instrument and not the cause. A fraternal and chivalrous people like the French have created a fraternal and chivalrous army. An unaggressive and home-loving people like the Swiss have created a defensive army. A democratic and radical people like the Australians have adapted a national military system to their ideals of popular government and the dignity of labor.

Military preparedness in itself means nothing more than foresight and organization applied to the contingency of war. The alternative is blindness and confusion. War is an actuality and a genuine peril. It is, furthermore, a peril which threatens the *collective* life; there is no interest, however exalted, that is immune. Preparedness is therefore every man's concern. A national system of training and service is simply the responsible, concerted and effective way of meeting this peril. But the spirit which animates a military organization, on the other hand, will reflect the interests which men desire to safeguard. If we in America desire to be and remain free, if there is a peculiar tone of personal independence and equality that is the breath of life to us, then that is the end to which our military organization will be consecrated and that is the spirit which we shall carry with us into it. If we are to be free, we must be safely and effectively free. There must be a place secured for freedom; and to secure that freedom, free men may be soldiers.

A deliberate and rational concert of action does not hamper individuality. If there is any one incontrovertible principle that governs life, it is this: that freedom does not come of letting things take their course. Free individuals are not spontaneously generated by the bare removal of restrictions; they are the products of discipline and order. A freedom that knows no bounds is the conceit of impatient and careless minds. A military system that is imposed

from without, or hastily improvised in a moment of panic, may indeed be tyrannical. But a system freely adopted, in order to do loyally and skillfully that which must be done, is primarily a matter of morale and character. Over and above that it will vary with the genius and aims of the people who create it and enter into it.

Since war is an actuality and a genuine peril, let us soberly undertake the burden it imposes. Let us cultivate the soldierly qualities; and let us equip ourselves with the tools which are effective in modern warfare. Let us acquire the capacity for organized action and be ready for the occasion which a rational man will both fear and deprecate. And let us be such soldiers as we would be men. If we are lovers of liberty and devotees of peace, let us inscribe these ideals on our banners.

REPLY BY NORMAN ANGELL

In his article, "The Free Man and the Soldier," Professor Perry has managed to avoid any very definite treatment of the quite specific questions which must occur to any one who seriously considers the relation of conscription to democracy, and the ultimate object which conscription is designed to accomplish.

Among those very definite questions are these: How far is the control of political opinion by the state necessary to the efficient working of conscription? How far does submission to state control in matters of political opinion render a people unable to form sound political judgments, and so unfit them for democracy? And how far does state control of opinion unfit them, particularly, to solve the problems of international relationships?

Let us take the last question first. It is admitted by all parties to the discussion, and is most particularly emphasized by those impressed with the need for greater armament, that the outstanding problems of the international situation — immunity from the danger that each nation runs from the power of the others, the permanent maintenance of peace with due regard to right which it is the ultimate object of conscription to help secure — will demand for their final solution a capacity larger than men have heretofore shown for other-mindedness, for seeing the point of view of the other fellow, for a sane judgment of the facts between them, for a more rational control of certain primitive impulses and passions in one particular sphere: in short, a certain moral and intellectual evolution therein. Without that we shall obviously get no final solution. And yet, it would seem that conscription, to be thoroughgoing and effective in

its mechanism, must and does deliberately oppose that particular moral and intellectual evolution, is obliged to try to prevent the only process which would make it possible. To get security from the kind of catastrophe now shaking Europe a certain political reformation is necessary. The firm establishment of conscription throughout the world threatens to create an immense, perhaps an insuperable, obstacle at least to that particular reformation. With this specific difficulty Professor Perry has not dealt, except to imply, in a most general way, that it is non-existent.

Let us just see how the thing works in the concrete fashion of Carlyle's two Dumdrudges. The young man of France, or Austria, or Prussia, or Bavaria, having been in no way consulted as to his opinion concerning the matter, and with no option of refusal, finds himself one day confronted with the order to enter the trenches and kill the man opposite. Now suppose, being a Prussian, he should say: "I don't feel justified in killing the man opposite. I have followed this particular dispute between his government and mine, and upon my conscience I am not at all sure that he is wrong. I think there is a good deal to be said for his case. Particularly am I a little doubtful of my case when it is marked by the daily slaughter of children on land and sea. I cannot see that I do the best service to my country in killing the man opposite. He may not be altogether right, but I am at least sure that he is not so wrong as to justify me in putting him to death or torture."

Now, if what the Allies and their supporters have so often told us is at all true, western Europe has taken up arms on behalf of that young heretic — to bring about, that is, just the moral revolution on the part of his people represented in his attitude. Mr. Asquith has told us that the war is a spiritual conflict fought to defeat "a monstrous code of international morality" into which the German people have been entrapped "to the horror of mankind." The war was undertaken to liberate them and Europe from the menace of certain political doctrines and moralities (such as that whatever the state does is right, and that obligations to it overrule all others, and that the citizen must be, as certain members of the German government have been so proud of being, "for their country, right or wrong") and to replace those dangerous doctrines by — again to quote Mr. Asquith — "the enthronement of the idea of right as the governing idea" in international politics.

But if a nation is to know what *is* right in its relations with others it must in that matter allow freedom of conscience and discussion, particularly freedom to state the view of the other side. It is not an

easy thing for even a third party to determine the rights and wrongs of a quarrel. As for the interested parties, it is humanly certain that each will be convinced he is absolutely right and the other absolutely wrong unless there is a deliberately cultivated capacity to "hear the other side." And as governments are made up of human beings, they too are just as likely to be incapable of fair and reasonable judgment in a case in which they are interested parties, unless drawn from a population that has cultivated the capacity for such judgment in the only way in which it can be cultivated — by the habit of forming individual decisions based on the weighing of both sides: unless, in other words, they have learned to "tolerate the heretic" and are dominated by the tradition of the need for heresy in forming opinion.

Now the simple truth is that conscription cannot allow political heresy — opposition to the political religion of the state — in international affairs. And the penalty for it, in all conscriptionist states, is death. It sounds fantastic, but it is a mere statement of fact. Let us get back to the young conscript I have imagined refusing to kill the man opposite. Whether he be German, French, Italian, Russian or Turkish, and whether his situation be that of a submarine commander refusing to sink Atlantic liners or an Allied aviator refusing to throw bombs at Baden health resorts, if he really persists there is only one result for him. He is shot.

But conscription cannot in its authority stop short merely at the man in the trenches or under direct military command. Assume that this disposition on the part of conscripts to question the morality of their orders is due to a civilian movement of opinion, a religious or political agitation, to anti-war newspapers or writers. (At the time of the English war against the Boer Republics, and to a lesser degree when England, in her last continental war, was fighting on behalf of Turkish policy in the Balkans against Russia, you had such a movement of opinion, which if England had had conscription then, would probably have produced just the results indicated.) One of two things in that case must happen: either conscription, the compulsory element, that is, disappears, or its authority is extended to cover the writers and newspapers, to cover opinion as well as acts.

And that indeed is what does happen. Conscription, to be effective, must be a conscription of minds as well as bodies. To allow real cleavage of opinion concerning the justice of a state's cause to grow up by allowing the advocacy of a rival cause would be to break down national solidarity, to affect gravely the efficiency of the military instrument by tainting its morale at the source. Moreover, the

state must take charge not only of the expression of opinion, but of the dissemination of facts which lead to the formation of opinion.

If we think that a people like the French could not possibly, when a like efficiency of organization has had time to do its work, show a like moral result, then we have probably forgotten certain incidents of their history, even quite recent incidents like the Dreyfus affair, and what we said about it and all that it meant at the time. But the French, as a matter of fact, have escaped the full flower of the Prussian result because the circumstances of their history during the nineteenth century — the fact that not once during the whole of that century did they have a government sufficiently national to set up a national orthodoxy — made it impossible to organize the system on its intellectual side. No wonder France has been intellectually free. Sufficient number of Frenchmen have always been ready to make national defense, the efficiency of the military machine, subservient to the retention of certain freedoms, as the Dreyfus case showed. But conscription — the military organization — has steadily fought these freedoms.

The question surely is this: If the democracies like England and France are to get the German degree of efficiency in the working of the national military machine, will it not be at the price of a control of opinion by the state, as complete as in Germany? And if so, why should we expect sensibly different moral results?

Conscription involves undoubtedly the suppression of freedom of conscience in certain political affairs. Indeed, the position of the modern political heretic is in one respect a good deal worse than was that of the old religious heretic. The latter, in order to be secure from the attentions of the Holy Office, had only to remain silent. That does not protect the modern heretic. He is taken out and compelled to kill with his own hand those whose political faith perhaps he shares, or himself be executed.

If any one is disposed to think that this cultivation of rival group orthodoxies, the loss of toleration for heresies and of the capacity to discuss them, is a small danger, let him look back on the Europe of religious wars — which was not the Europe of a savage age but of the age of Shakespeare and Montaigne. Lecky, among others, has shown that the rivalry of the modern political groups reveals in large part the psychology which marked the rivalry of the religious groups. Patriotism is the religion of politics. It is worth while considering whether we do not stand in danger of doing in the field of political religion just about what Europe did in the field of ecclesiastical religion when it became divided into two main religious groups.

She entangled herself then in a net of her own weaving — the work largely of religious professors, as our net to-day is woven so largely by political professors. Each group had convinced itself that everything it most valued on earth, the existence of any kind of morality, its spiritual freedom here as well as its eternal salvation later, depended upon its defending itself by military power against the power of the other — defense of course involving preventive wars.

The modification of conception, theory, "sovereign idea," what you will, was only possible as the result of certain heresies, of the conflict of one idea with another, and so the correction of both. But that one solution, the one means of egress, the man of the sixteenth and seventeenth centuries in Europe for long deliberately closed by making heresy the gravest moral offense which men could commit. Each side killed its heretic: preferably in fashions that were "lingering and humorous." What was more important, of course, they killed with him the capacity of the mass to think clearly — or to think at all on the subjects that the heretic raised, for a community which has no heretics, which is of one mind on a given matter, is on that matter mindless. If the rival communities had been successful in the attempt to protect themselves by military means from heresy within and without, we should have been fighting wars of religion yet, and organizing our massacres of St. Bartholomew. But certain forces — mechanical like the cheapening of printing, moral like the readiness of the heretic to suffer the humorous roasting processes — were too strong for the imperfect organization of the state or the Holy Office. But the modern state — as Germany proves — can be more efficient in the control of opinion and the consequent suppression of heresy. And we can hardly doubt that if unity of political belief is necessary to the successful conversion of a nation into a military instrument, the modern state will kill political heresy even more successfully than the church-state killed religious; and in lesser or greater degree with the analogous result of rendering Europe impotent to solve the very problem out of which conscription itself has arisen.

The upshot of it all is of course that if we are to adopt conscription we must do it with our eyes open. Not bemusing ourselves with the irrelevant consideration that it is in itself desirable, but recognizing its dangers and to that extent having the greater chance of escaping them, resorting to it for a specific and limited purpose, just as we might administer a dangerous drug to an invalid, something necessary it may be for his very life, but something also which may cost him his life if we have to go on increasing the dose.

Does not this analogy apply to all purely military preparedness? Is it not the essential remedy without which our patient will die, but which also will kill him unless sooner or later we can enable him to do without it? And there comes a stage in the illness when the emphasis of our effort must be directed to that end mainly. Possibly the health of our modern world depends upon our understanding that we are approaching just that crisis.

REJOINDER FROM MR. PERRY

The reading of Mr. Norman Angell's communication apropos of "The Free Man and the Soldier" leaves me in doubt whether I ought to defy him as a critic or thank him for his support. He evidently objects, as I do, to a centralized control of opinion such as appears to have been achieved in Germany. But he does not show that this tyranny is a necessary concomitant of universal military training and service. To be sure, he says that "conscription, to be effective, must be a conscription of minds as well as bodies." This, however, he does n't quite mean, for he afterwards qualifies it by saying that one cannot get "the German degree of efficiency" without employing German methods. Very good; then one must be content with something less than the German degree of efficiency. There remains the possibility, for which I have contended, of combining national service with greater liberty of thought than is permitted under the German system, and so achieving a military effectiveness that is at least vastly greater than that achieved under the late English system of first teaching men that they have no military obligations, and then bullying them into assuming them.

Mr. Angell evidently agrees with me that France has preserved her liberties despite her crushing military burdens. He shows that despite the tendency of the military machine to suppress opinion, freedom has been saved in France by "the energies which the heirs of the liberal tradition could summon to the task." And I should suppose that he would be compelled to grant that the superb morale and organization of the French army was sane indication of what a free country can do when every man has been taught to believe that war is an act of the entire nation in which every man has his part. Of course, universal service has its dangers. So does every institution or policy that the mind of man has ever contrived. The important thing, then, is to see that these dangers are avoidable, and to adopt whatever safeguards or correctives are necessary.

I cannot but say that a portion of Mr. Angell's argument strikes

me as a little absurd. To show that conscription is unfavorable to "freedom of conscience and discussion" he solemnly informs us that the conscript who climbed out of the trenches in the face of the enemy, and declined to fight because he saw some merit in the enemy's point of view, would be summarily shot! Now Mr. Angell cannot mean that if the man were a volunteer, and not a conscript, his magnanimity would be applauded. Mr. Angell knows, everybody knows, that treason and breach of discipline mean precisely the same things under all military systems. It is absolutely necessary, once battle is joined, that men should suppress their private differences and act loyally in the common service. The suppression of individuality involved in war itself, or in any sort of concerted action, has nothing whatsoever to do with the question of universal service, and it only confuses the issue to allude to it. The issue is this: Granting war to be a fact and a menace, how shall it be met? By unreadiness and irresponsibility, ennobled by the gratuitous devotion of those who first come forward, but discredited by initial failure, and eventually disgraced by the scandal of disloyalty and coercion? Or shall it be met by a general habit of service, supported by the belief that since the threat of war is a common danger, preparation and resistance are common duties?

REJOINDER FROM MR. ANGELL

I hesitate to encroach on your space again to deal with Professor Perry's advocacy of conscription, but the matter is just now of national importance, and may become soon a very practical issue.

If conscription is urged on the grounds of dire military necessity, as the alternative to national extinction or the shirking of plain obligations, I have personally not a word to say. If the case of military need is manifest, adopt conscription, knowing it to be a real danger to freedom, but a danger faced with open eyes as the alternative to still greater dangers. It is necessary to say, however, that that question is often begged by the assumption that a state is always in dire military need and that it is always a wise policy to attain maximum military strength at whatever social and political cost.

But as a matter of fact conscription is advocated, not on the ground of military need so much as on that of its educational and moral superiority to the voluntary system: as a means of assimilating the alien, of attaining general national integration, of correcting our materialism, spiritualizing our democracy, democratizing our plutocracy, of heaven knows what.

Professor Perry sanctions this plea at least to the extent of arguing that those qualities, so inimical to freedom and democracy, which for want of a better term we may call Prussianism, are not inherent in conscription. He implies that if the English had adopted conscription it would not have checked the development of English freedom or hampered English democracy in its fight against imperialist and anti-democratic forces. I suggest on the contrary that if during the last few generations England had had conscription the operations of that system would have resulted inevitably in checking the liberal tendencies of English political development and strengthening the reactionary and imperialist, by limiting freedom both of discussion and institution and by curtailing popular right; and would have made English political influence in the world very much less beneficent than happily it is.

I will hint at the grounds of that belief, and illustrate what I urged in a previous communication, by recalling the outstanding facts of a certain recent incident of English history: the Boer war and its sequel.

That incident illustrates, I think, two opposing forces in English political development — in the development of western democracy, indeed: the forces which brought on the war and the opposing forces which dominated the post-bellum settlement. Because, of course, the final settlement which has given us a loyal and united South Africa was the work of pro-Boers who bitterly fought the policy that precipitated the war and who in large degree reverted its object. But so complete a victory of liberal forces would have been impossible if conscription had obtained in England. That system would have strengthened incalculably those reactionary forces which played so large a part in the war itself. Let us see why.

Although the Boer war is not a page of history upon which Englishmen like to dwell I imagine there are very few who would seriously challenge the view that there entered into its motives very ugly elements of capitalist exploitation, a Prussianization of English temper shown in a crude desire of domination, excuse or justification of things like the Jameson Raid, a refusal to see an "enemy" point of view, a systematic vilification of the Boer character, and finally, in the conduct of the war itself, methods which the Englishman who after the war became the British Prime Minister declared curtly to be "methods of barbarism" — farm burning, concentration camps, etc.

Now, most English Liberals fought the whole policy and tendency of the war. The pro-Boer agitation (in which Mr. Lloyd George was

perhaps the most rabid and violent figure) did not, it is true, stop the war, though it shortened it; but it produced a reaction against the Prussian temper so great that the pro-Boers, electorally triumphant after the war, virtually restored to the Boer Republics their independence under the guise of responsible colonial government; and to the bitter anger of English junkerdom allowed the Boer element to become once more politically dominant throughout South Africa; so that within a year or two of the close of the war the virtual ruler of South Africa was the man who had led the Boer forces in the field against British arms.

But that conversion of the British people, and their revolt against their own government, would have been impossible under conscription.

The war, which lasted nearly three years, called from first to last for nearly half a million men, drawn not only from the regular army, but from militia and irregular forces. Presumably those who offered their services for the war did not share the views of the pro-Boer party of the day. So that the situation I have previously described of the Prussian conscript who is shot for refusing to kill Belgians for the offense of defending their country (a situation which Professor Perry is so sure has no bearing on the problem of compulsory military service that he thinks it absurd to introduce it) did not arise.

But what would have been the position of English soldiers under conscription? That system would of course take no account of political opinion. While the pro-Boer might be taken to the front, the pro-Chamberlainite might have been left at home. Young Liberals and non-conformists were reading in their *Daily News* or *Nation* or *Manchester Guardian* or in the books or articles of the Chestertons, or James Bryces, or Hobhouses, or Herbert Spencers, or William Watsons or Steads; or hearing in speeches by the Lloyd Georges, or Morleys or Burns's, or by labor leaders, Hardies or Macdonalds, or by pastors and even bishops (several of them) that the war was a monstrous wickedness, tainted at its source, carried on by methods of barbarism. Inflamed by all this these young men would, under conscription, have been sent to the veldt to kill Boers, burn Boer farmhouses and drive Boer women and children into concentration camps.

Would they, in such conditions, have done those things? I can answer personally for at least some: they would have flatly refused.

What would Professor Perry have had the conscription authorities do? Shoot the young conscripts and let the forces — the pro-Boer agitation — really responsible for their mutiny continue unchecked?

Let the conscript choose whether he should go to war or not? Then that is the end of conscription in England. And would the military authorities accept surrender to sedition in war times?

There was only one thing, under conscription, to have done: suppress the pro-Boer agitation. For conscription to have worked at all in the Boer War would have meant a very thoroughgoing censorship of newspaper opinion, suppression of public meetings, control of university professors and religious teachers, and the suppression of the speaking and writing of the men who have since ruled England and guided her policy.

It would have suited the government of the day, of course; notably Mr. Chamberlain. He would not have needed to answer Lloyd George or the other very violent pro-Boers. He would have sent them to jail. Incidentally, such a step would have been very popular just at the time.

But such a course would have altered not only the subsequent history of the South African settlement, but of all English politics. The discredit which fell upon the authors of the Boer War and finally swept them from office and so completely checked the Prussian temper and tendencies, was due largely to the educating influence of the pro-Boer agitation.

If to-day Germans were free from conscription there might be some hope of a political heresy, corresponding to that which arose in England during the Boer War, raising its head; some hope of the assertion of the right to criticize the policy of war; to take, if need be, the enemy view. Such a heresy might save Europe, civilization. But, again, it is incompatible with conscription. Any system which menaces, even in small degree, the right to criticize the state's action, a right which alone can enable a people to keep their vision clear should not be lightly adopted.

APPENDIX XVI

SPECIMEN ARGUMENT: MAGAZINE ARTICLE AN INDICTMENT OF INTERCOLLEGIATE ATHLETICS¹

I

INTERCOLLEGIATE athletics provide a costly, injurious, and excessive régime of physical training for a few students, especially those who need it least, instead of inexpensive, healthful, and moderate exercise for all students, especially those who need it most.

Athletics are conducted either for education or for business. The old distinction between amateur and professional athletics is of little use. The real problems of college athletics loom large beside the considerations that define our use of the terms "professional" and "amateur." The aims of athletics reveal the fact that the important distinctions are between athletics conducted for educational purposes and athletics conducted for business purposes.

When athletics are conducted for education the aims are (1) to develop all the students and faculty physically and to maintain health; (2) to promote moderate recreation, in the spirit of joy, as a preparation for study rather than as a substitute for study; and (3) to form habits and inculcate ideals of right living. When athletics are conducted for business, the aims are (1) to win games — to defeat another person or group being the chief end; (2) to make money — as it is impossible otherwise to carry on athletics as business; (3) to attain individual or group fame and notoriety. These three — which are the controlling aims of intercollegiate athletics — are also the aims of horse-racing, prize-fighting, and professional baseball.

These two sets of aims are in sharp and almost complete conflict. Roughly speaking, success in attaining the aims of athletics as education is inversely proportional to success in attaining the aims of athletics as business. Intercollegiate athletics to-day are for business. The question is pertinent whether schools and colleges should promote athletics as business.

Nearly all that may be said on this subject about colleges applies

¹ From the *Atlantic Monthly*, November, 1915. Abridged.

to secondary schools. The lower schools as a rule tend to imitate the worst features of intercollegiate athletics.

If the objection arises that intercollegiate athletics have educational value, there is no one to deny it. "Athletics for education" and "athletics for business" are general terms, used throughout this discussion as already defined. Exceptions there may be: only the main tendencies are here set forth.

The most obvious fact is that our system of intercollegiate athletics, after unbounded opportunity to show what it can do for the health, recreation, and character of *all* our students, has proved a failure. The ideal of the coach is excessive training of the few; he best attains the business ends for which he is hired by the neglect of those students in greatest need of physical training. Our present system encourages most students to take their athletics by proxy. When we quote with approval the remark of the Duke of Wellington that Waterloo was won on the playing grounds of Eton, we should observe that he did not maintain that Waterloo was won on the grandstands of Eton.

What athletics may achieve without the hindrance of intercollegiate games and business motives is suggested by the experience of Reed College. There the policy of athletics for everybody was adopted before there were any teachers, students, alumni, or traditions. Last year all but six of the students took part in athletics in the spirit of sport for the sake of health, recreation, and development. Sixty per cent of the men of the college, including the faculty, took part in a schedule of sixteen baseball games. Nearly all the students, men and women alike, played games at least twice a week. There were series of contests in football, baseball, track, tennis, volleyball, basket-ball, and other out-of-door sports. All this, according to the report of the athletic association, cost the students an average of sixteen cents apiece. No money for coaches and trainers; no money for badges, banners, cups, and other trinkets; no money for training-tables and railroad fares; no money for grandstands, rallies, brass bands, and advertising. Fortunately, it is the unnecessary expenses that heap up the burdens — the cost of athletics as business. The economical policy is athletics for everybody — athletics for education.

II

Opposed to the three educational aims are the aims of athletics as business — winning games, making money, and getting advertised.

Almost invariably the arguments of students in favor of intercol-

legiate games stress the business aims and ignore all others. Win games! Increase the gate-receipts! Advertise the college! These are the usual slogans.

After all, how important is this end for which such sacrifices are made? To hear the yelling of twenty thousand spectators, one might suppose this aim to be the only one of great importance in the life of the university. Yet who wins, who loses, is a matter of but momentary concern to any except a score or two of participants; whereas, if there is one thing that should characterize a university, it is its cheerful sacrifice of temporary for permanent gains,—in Dr. Eliot's fine phrase, its devotion to the durable satisfactions of life.

The making of money, through intercollegiate athletics, continues a curse, not only to institutions, but as well to individual players. Only childlike innocence or willful blindness need prevent American colleges from seeing that the rules which aim to maintain athletics on what is called an "amateur" basis, by forbidding players to receive pay in money, are worse than useless because, while failing to prevent men from playing for pay, they breed deceit and hypocrisy. There are many ways of paying players for their services. Only one of these, and that the most honorable, is condemned.

There are many subterranean passages leading to every preparatory school notable for its athletes. By such routes, coaches, over-zealous alumni, and other "friends" of a college, reach the school-boy athlete with offers beyond the scope of eligibility rules. Sometimes payments are made expressly for services as half-back, or shortstop, or hurdler, and no receipts taken, the pay continuing as long as the player helps to win games. Sometimes payments take a more insidious and more demoralizing form. The star athlete is appointed steward of a college clubhouse on ample pay, his duties being to sign checks once a month. Or his college expenses are paid in return for the labor of opening the chapel door, or ringing the bell, or turning out the lights.

Athletes may be paid for their services in other ways that escape the notice of the most conscientious faculties and athletic associations. But there are hundreds of boys who know that they are paid to win games and keep silent; they are hired both as athletes and as hypocrites.

The sporting editor of one of the leading daily papers said recently, "It is well known that the Northwest colleges are at present simply outbidding one another in their desire to get the best athletes.

Money is used like water. It is a mystery where they get it, but they do."

What is to prevent a graduate of the college or any other person from hiring athletes? All but futile are the rules governing professionalism. Is it not a worthy act to enable a boy to go to college? And shall he be denied such aid because he happens to be an athlete? No eligibility committee knows of all these benefactors or even has the right to question their motives. But the objectionable motives themselves can be eliminated by one act — the abolition of intercollegiate athletics. With the subordination of winning games as the chief end in athletics, falls also the money-making aim and its attendant evils.

All the serious evils of college athletics center about the gate-receipts, the grandstand, and the paid coach. Yet the aim of nearly every college appears to be to fasten these evils upon the institution by means of a costly concrete stadium or bowl, and by means of more and more money for coaches. When the alumni come forward to "support their team," they usually make matters worse.

The extent to which interest in athletics is deadened by paid coaches was shown last spring, when a track team from one university, after traveling over two hundred and fifty miles — at the expense of the student body — to compete with the team of another institution, took off their running shoes and went home because the *coaches* could not agree on the number of men who should participate in the games. Could there be a more abject sacrifice of the educational purposes of athletics? Consider the spectacle. A glorious afternoon in spring, a perfect playground, complete equipment in readiness, two score of eager youth in need of the health and recreation that come from sport pursued in the fine spirit of sport. Could anything keep them from playing? Nothing but the spirit of modern American intercollegiate athletics and the embodiment of that spirit, the paid coach, who knows that there is but one crime that he can commit — that of losing a contest.

The conflicts frequently arising between faculties and students over questions of intercollegiate athletics are the natural outcome of the independent control of a powerful agency with three chief aims — winning games, making money, and getting advertised — which are antagonistic to the chief legitimate ambitions of a university faculty. No self-respecting head of a department of psychology would tolerate the presence in the university of persons working in his field, in no way subject to him and with aims subversive of

those of the department. No professor of physical education should tolerate a similar condition in his department. It is one of the hopeful signs in America that several of the men best qualified to conduct athletics as education have declined to consider university positions, unless they could have control of students, teams, coaches, alumni committees, grandstands, fields, finances, and everything else necessary to rescue athletics from the clutches of commercialism.

We hear much about the value of intercollegiate games for the "tired business man" who needs to get out of doors and watch a sport that will make him forget his troubles. It is true that for him a game of baseball may be a therapeutic spectacle. The question is whether institutions of learning should conduct their athletics — or any other department — for the benefit of spectators. Doubtless university courses in history could provide recreation for the general public and make money, if instruction were given wholly by means of motion-pictures. But such courses would hardly satisfy the needs of all students. Is it less important that departments of physical education should be conducted primarily for all students rather than for spectators? We do not insist that banks, railroads, factories, department stores, and legislatures jeopardize their main functions in order to provide recreation for the tired business man. Universities are institutions of equal importance to society, in so far as they attend to their main purposes. Athletics for the benefit of the grandstand must be conducted as business; athletics for the benefit of students must be conducted as education.

III

It is when we rightly estimate the possibilities of athletics as education that the present tyranny of athletics as business becomes intolerable. Is it not an anomaly that those in charge of higher institutions of learning should leave athletic activities, which are of such great potential educational value for *all* students, chiefly under the control of students, alumni, coaches, newspapers, and spectators? Often the coach is engaged by the students, paid for by the students, and responsible only to them. He is not a member of the faculty or responsible to the faculty. The faculty have charge of the college as an educational institution; athletics is for business and therefore separately controlled. Why not abandon faculty direction of Latin? Students, alumni, and newspapers are as well qualified to elect a professor of Latin and administer the department in the interests of education, as they are to elect coaches and administer athletics in the interests of education.

A few of the more notable coaches of the country are aware of the possibilities of athletics controlled by the faculty for educational purposes. Mr. Courtney, the Cornell coach, spoke to the point when he said, —

“If athletics are not a good thing, they ought to be abolished. If they are a good thing for the boys, it would seem to me wise for the university to take over and control absolutely every branch of sport; do away with this boy management; stop this foolish squandering of money, and see that the athletics of the University are run in a rational way.”

Next to the physical development and the maintenance of the health of all the students and teachers of an institution, the main purpose of athletics as education is to provide recreation as a preparation for study rather than as a substitute for study. But, inter-collegiate athletics having won and retained unquestioned supremacy in our colleges, students do not tolerate the idea of a conflicting interest.

The relative importance of intercollegiate athletics and other college affairs, in the minds of students, is indicated by student publications. There is no more tangible scale for measuring the interests of college youth than the papers they edit for their own satisfaction, unrestrained by the faculty.

Let us take two of the worthiest colleges as examples. The Bowdoin College *Orient*, a weekly publication, is typical. For the first nine weeks of the academic year 1914-15, the *Orient* gave 450 inches to intercollegiate athletics. For the same period, it devoted six inches to art, ten inches to social service, thirteen inches to music, and twelve inches to debating. Judging from this free expression, the students rate the interests of intercollegiate athletics nearly three times as high as the combined interests of art, music, religion, philosophy, social service, literature, debating, the curriculum and the faculty. Second in importance to intercollegiate athletics, valued at 450 inches, are dances and fraternities, valued at 78 inches.

Another possible measure of the student's interest is found in *Harvard of Today from an Undergraduate Point of View*, published in 1913 by the Harvard Federation of Territorial Clubs. The book gives to athletics ten pages; to the clubs, six pages; to debating, five lines, — and that student activity requires sustained thinking and is most closely correlated with the curriculum. The faculty escapes without mention. “From an undergraduate point of view” the faculty appears to be an incumbrance upon the joys of college life.

These publications appear to be fair representatives of their class. It is probable, furthermore, that the relative attention given by the student papers to intellectual interests is a criterion of the conversation of students.

Intellectual enthusiasm is rare in American colleges, and likely to be rarer still if social and athletic affairs continue to overshadow all other interests.

The pronounced tendencies in higher education aggravate the disease. Feeble palliatives are used from time to time, — the baseball schedule in one college, after six hours of debate by the faculty, was cut down from twenty-four games to twenty-two, — but the bold and necessary surgeon seldom gets in his good work. When he does operate, he is hung in effigy or elected President of the United States.

Concerning the policy of no intercollegiate games at Clark College, President Sanford says: "Our experience with this plan has been absolutely satisfactory and no change of policy would be considered. Doubtless some of the less intellectually serious among the students might like to see intercollegiate sports introduced. It is generally understood that in a three-year college there is not time for such extras." The faculty appear to be unanimously in favor of no intercollegiate games, since the course at Clark College takes only three years. Intercollegiate contests appear to be ruled out chiefly on the ground that, in a three-year course, students cannot afford to waste time. But why is it worse for a young man to waste parts of three years of his student life than to waste parts of four years of it?

IV

There have been numerous attempts to prove that intercollegiate athletics are not detrimental to scholarship by showing that athletes receive higher marks than other students. Such arguments are beside the point. Though we take no account of the weak-kneed indulgence to athletes in institutions where winning games is the dominant interest, and of the special coaching in their studies provided them because they are on the teams, we must take account of the fact that wherever the student body regards playing on intercollegiate teams as the supreme expression of loyalty, the men of greatest physical and mental strength are more likely than the others to go out for the teams, and these are the very men of whom we rightly expect greatest proficiency in scholarship. That they do not as a group show notable leadership in intellectual activities seems

due to the excessive physical training which, at certain seasons, they substitute for study.

But this is not the main point. A large college might be willing to sacrifice the scholarship of a score of students, if that were all. The chief charge against intercollegiate athletics is their demoralizing effect on the scholarship of the entire institution. The weaklings who have not grit enough to stand up on the gridiron and be tackled talk interminably about the latest game and the chances of winning the next one. They spend their hours in cheering the football hero, and their money in betting on him. The man of highest achievement in scholarship they either ignore or condemn with unpleasant epithets.

Further hindrances to scholarship are the periodic absences of the teams. It is said that athletes are required to make up the work they miss during their trips, but is not this one of the naïve ways wherein faculties deceive themselves? They are faced with this dilemma. Either the work of a given week in their courses is so substantial, and their own contribution to the work so great, that students cannot possibly miss it, and "make it up" while meeting the equally great demands of the following week, or else the work of all the students is so easy that the athletes on a week's absence do not miss much. What actually happens, year in and year out, is that the standards of scholarship of the entire institution are lowered to meet the exigencies of intercollegiate athletics.

To what an illogical position we are driven by our fetish worship of college "amateur athletics"! We especially provide the summer vacation as a period for play and recreation, and as a time when a majority of students must earn a part of the expenses of the college year. For these purposes we suspend all classes. Yet the student who uses this vacation to play ball and thereby earn some money must either lie about it or be condemned to outer darkness. There are no intercollegiate athletics for him; he has become a "professional." It matters not how fine his ideals of sport may be, how strong his character, or how high his scholarship. These considerations are ignored. The honors all go to the athlete who neglects his studies in order to make games his supreme interest during that part of the twelve months which is specifically set apart for studies.

Far more sensible would be an arrangement whereby, if we must have intercollegiate athletics at all, the games could be scheduled in vacation periods, and a part of the gate-receipts, if we must have them at all, could be used for the necessary living expenses of worthy students instead of being squandered, as much of that money is

squandered to-day. That this will seem a preposterous plan to those who are caught in the maelstrom of the present collegiate system need not surprise us. An accurate record of the history of intercollegiate athletics shows that, year in and year out, the arrangements desired by students are those that interfere most seriously with study during the days especially intended for study.

The maelstrom of college athletics! That would not seem too strong a term if we could view the age in which we live in right perspective, an age so unbalanced nervously that it demands perpetual excitement. We have fallen into a vicious circle: the excesses of excitement create a pathological nervous condition which craves greater excesses. The advertisement of a head-on collision of two locomotives is said to have drawn the largest crowd in the history of modern "sport"; next in attractiveness is an intercollegiate football game. It is unfortunate that our universities, which should serve as balancing forces, — which should inculcate the ideal of sport as a counterpoise to an overwrought civilization, — are actually making conditions worse through cultivating, by means of athletics as a business, that passion for excitement which makes sustained thinking impossible and which is elsewhere kept at fever heat by prize-fights, bull-fights, and blood-curdling motion pictures.

V

But even if intercollegiate games are detrimental to the interests of scholarship, is not the college spirit they create worth all they cost? Perhaps so. A university is more than a curriculum and a campus. It is more than the most elaborate student annual can depict. Even in Carlyle's day, it was more than he called it: a true university was never a mere "collection of books." It is the spirit that giveth life, and "college spirit" is certainly a name to conjure with. The first question is what we mean by college spirit. A student may throw his hat in the air, grab a megaphone, give "three long rahs," go through the gymnastics of a cheer-leader, — putting the most ingenious mechanical toys to shame, — and yet leave some doubt whether he has adequately defined college spirit.

What is this college spirit that hovers over the paid coach and his grandstand — this "indefinable something," as one writer calls it, "which is fanned into a bright flame by intercollegiate athletics"? Shall we judge the spirit by its manifestations in an institution famed above all else for its winning teams and its college spirit? In such an institution, not long ago, every student was cudgeled or caajoled into "supporting the team," and many a callow youth acted as

though he thought he had reached the heights of self-sacrifice when he sat for hours on the grandstand, watching practice, puffing innumerable cigarettes, and laying up a stock of canned enthusiasm for the big game. A student who would not support his team by betting on it was regarded as deficient in spirit. Every intercollegiate game was the occasion of general neglect of college courses. If the game was at a neighboring city, the classrooms were half empty for two days; but the bar-rooms of that city were not empty, and worse places regularly doubled their rates on the night of a big game. Some of the most enthusiastic supporters of the team went to jail for disturbing the peace. If the contest took place at home, returning alumni filled the fraternity houses and celebrated with general drunkenness. "An indefinable something"—consisting of college property and that of private citizens—was "fanned into a bright flame" in celebration of the victory. Following this came the spectacle of young men parading the streets in nightshirts. For residents of the town who did not enjoy this particular kind of spirit, the night was made hideous by the noises of revelry. All this and much more was tolerated for years on the assumption that students, imbued with college spirit, should not be subjected to the laws of decent living that govern those members of civilized communities who have not had the advantages of a higher education. The most serious difficulties between faculties and students and between students and the police, the country over, for the past twenty years, have arisen in connection with displays of "college spirit" after the "big game." Any college and any community might cheerfully sacrifice this kind of college spirit.

But some men mean by college spirit something finer than lawlessness, dissipation, and rowdyism. They mean the loyalty to an institution which makes a student guard its good name by being manly and courteous in conduct at all times and in all places. They mean the sense of responsibility which aids a student in forming habits of temperance and industry. They mean that eagerness to make a grateful use of his opportunities which leads a student to keep his own body fit, through moderate athletics, and a physical training that knows no season — is never broken. By college spirit some men mean this and far more: they mean that loyalty to a college which rivets a man to the severest tasks of scholarship, through which he gains intellectual power and enthusiasm, without which no graduate is an entire credit to any college; and finally they mean that vision of an ideal life beyond commencement which shows a man that only through the rigid subordination of transient and

trivial pleasures can he hope to become the only great victory a university ever wins — a trained, devoted, and inspired alumnus, working for the welfare of mankind. There is no evidence that the inter-collegiate athletics of to-day inculcate in many men this kind of college spirit.

Have I exaggerated the evils of intercollegiate athletics? Possibly I have. Exceptions should be cited here and there. But I am convinced that college faculties agree with me in my main contentions. My impression is that at least three fourths of the teachers I have met the country over believe that the American college would better serve its highest purposes if intercollegiate athletics were no more. At a recent dinner of ten deans and presidents, they declared, one by one, in confidence that they would abolish intercollegiate athletics if they could withstand the pressure of students and alumni.

Is it therefore necessary for all institutions to give up intercollegiate athletics permanently? Probably not. Let our colleges first take whatever measures are necessary to make athletics yield their educational values to all students and teachers. If intercollegiate athletics can then be conducted as incidental and contributory to the main purpose of athletics, well and good. But first of all the question must be decisively settled, which aims are to dominate — those of business or those of education. And it will be difficult for a college already in the clutches of commercialism to retain the system and at the same time cultivate a spirit antagonistic to it. Probably the quicker and surer way would be to suspend all intercollegiate athletics for a college generation by agreement of groups of colleges, — during which period every effort should be made to establish the tradition of athletics for education. If an institution could not survive such a period of transition, it is a fair question whether the institution has any reason for survival.

Typically American though our frantic devotion to intercollegiate athletics may be, we shall not long tolerate a system which provides only a costly, injurious, and excessive régime of physical training for a few students, especially those who need it least. The call to-day is for inexpensive, healthful, and moderate exercise for all students, especially those who need it most. Colleges must sooner or later heed that call: their athletics must be for education, not for business.

APPENDIX XVII

SPECIMEN INTERCOLLEGIATE DEBATE SHOULD OREGON AND WASHINGTON ADOPT A MINIMUM WAGE FOR MEN?

SPEECHES FOR THE NEGATIVE

THE gentleman has aroused our sympathy for men in Oregon and Washington who are receiving low wages. We also deplore this condition. We are, therefore, heartily in sympathy with any timely, wise, practicable, and safe movement which is clearly the most effective one for the relief of victims of economic conditions.

But this very sympathy should warn us against hasty judgment. Before a State overthrows the long-established right of freedom of contract and enters what is for us the entirely new field of governmental regulation of male wages, it behooves that State to consider thoroughly and without passion the exact nature of such action. Let us, therefore, make absolutely sure of the precise scope and meaning of the plan advocated by our opponents.

The proposition is this: In each occupation in Oregon and Washington the State shall draw a wage-line and shall decree that below that line no employee may work. At the very outset, then, the proposed law means governmental interference with business in Oregon and Washington. To this we object; first, because, of all places, the Pacific Coast is the most unfavorable for such an experiment.

We must remember that the United States is divided into forty-eight separate, competing States with varying conditions of employment and wage standards. Those States with comparatively high standards of wages are at a great disadvantage both industrially and commercially. The man who has money to invest in manufacturing or other business that depends upon the employment of labor, decides, as a rule, in favor of communities that have lower wage standards. This fact would interest us but little were it not that labor is absolutely dependent upon capital for subsistence. When the capitalist fails to invest, the workman suffers, for fewer jobs are open to him.

With these facts in mind, let us examine the situation in Oregon and Washington.

First, how do our wages compare with those in other parts of the country? In the July, 1913, issue of the *Annals of the American Academy of Political and Social Science*, page 44, Dr. Scott Nearing, of the University of Pennsylvania, says that north of the Mason and Dixon line and east of the Rockies three fourths of the male adults receive under \$600 a year or about \$2 a day. If we now turn to the latest official report of your own labor commission, we find that of 40,567 men employed in the mills, workshops, factories and the logging industry of this State, only 670, or a little over one per cent, are receiving less than \$600. We are undoubtedly safe in assuming that not 5 per cent of the workmen in either Oregon or Washington receive under \$2 a day, whereas in the East 75 per cent of the workmen receive less than that amount. Our conclusion is that wages in the Northwest are extremely high compared with those in the East. Is this condition to the advantage or disadvantage of the workingmen our opponents seek to help?

A. H. Averill, President of the Portland Chamber of Commerce, in testifying before the Federal Commission on Industrial Relations, August 20, 1914, answered this question in clear and concrete terms. He said: "We have figured on glass industries, the manufacture of nitrates from the air, hat factories, pipe-casting plants, machine factories for the wood-working constructions, etc., and have lost most of them. So long as New York, Pennsylvania, Massachusetts, Connecticut, Ohio, and Illinois get low-priced labor for their mining operations and factory help, and we have to abide by a much higher scale here, we will be unable to compete until rather unusual opportunities are developed in connection with a limited number of industries." Thus, we see that the Pacific Northwest is now hampered in her effort to obtain more industries and thereby provide more jobs for the workman.

Yet, in the face of this most unsatisfactory situation, the affirmative propose that our already high wages shall be raised still higher. They would greatly augment one of the chief factors tending to limit the supply of work for the men of the Northwest. They would place the governmental stamp of approval upon sluggish industrial and commercial development. Finally, — and this point is fundamental — they would have the State say to the throng of newcomers who are constantly pouring into this country: "We guarantee that while you work — if you are fortunate enough to get jobs — each of you shall receive a living wage, *but*, we offer no inducement for

capital to invest here and provide jobs." A most remarkable scheme — this minimum wage!

But the propagandists say: "We have a plan which will materially decrease poverty. Is it not worth trying?" The answer is simple. These two States, particularly Oregon, have been experimenting long enough. Easterners think we are trying to reform the world through legislation. If we are not on the verge of adopting single tax, we are regulating the size of bed-sheets in hotels. Outsiders are surprised if every year or so we do not try some novel experiment in law-making. Capital already shuns such uncertainties. Now the gentlemen of the University of Washington propose another radical scheme — never tried for male workers in any State of the Union. They propose another check on industrial development — another scheme for increasing the ranks of the unemployed. The President of the Portland Chamber of Commerce gave testimony on this matter also. "Investment representatives," he said, "coming to the Chamber of Commerce — insist that we have not been sufficiently conservative, that we are doing too much pioneer work, that we are a sort of political experimental laboratory, and that we have lost through undertaking to devote too much of our energies to the pure experiment. These investors have urged that capital does not like so much uncertainty in the legislative field."

Let us, then, slow down. The workingmen as a whole in Oregon and Washington are well off compared with their brothers in the East. The main need of the men who suffer at this time is to get any work at all. Let us, therefore, think long and seriously before we adopt any plan which will keep out industries — industries which mean bread and butter to the workman. A minimum wage law will raise the wages of a few men at the expense of cutting down the supply of jobs for other men. The price is too high: and it is paid chiefly by the men our opponents want to help.

Our second objection to the proposed plan is that it forces upon the employer this dilemma: he must either obey the law, or disobey it. If he obeys the law, he must discharge a considerable proportion of his men (this point my colleague will discuss in detail); if he disobeys the law, he is an undesirable citizen. In either case, he injures the very men whom the minimum wage is supposed to benefit.

But, the advocates of the law tell us that the employer cannot break or evade the law? Is this true?

Edward McSweeney, member of the Massachusetts Industrial Accident Board, in a speech before the Massachusetts State Board of Trade, February 14, 1912, said that "the United States has the

unenviable, but deserved, reputation of being the most lawless country in the world. . . . The special form of American lawlessness which has the most direct bearing upon industrial conditions and the wage-earners, is the open and flagrant violation of factory, building, health and sanitary laws." Before we place another regulative law upon our statute books, we must consider how well it can be enforced.

The two parties to the labor contract are the employer and the employee. Upon their coöperation the success of the law depends. Our first question then is: "Would it be to the interests of the wage-earners to observe a minimum wage law?" Obviously it would if work were to be had at the minimum.

But in the Northwest to-day there is an over-supply of labor. The Oregon Labor Report for 1915, on page 10, says that the supply of jobs is not so large as the demand for work. Furthermore, unemployment, which exists the year around, is greatly accentuated during the winter season. You have all heard of the Gypsy Smith Tabernacle in Portland and will remember the Hotel de Gink in Seattle. This over-supply of labor would break the back of any minimum wage law.

But it is also clear that in times of industrial stress — and they are here now — people will strive to find employment at whatever wages they can command. As Mr. McSweeney further said: "The right to sell one's labor, to provide needed food for one's self and family, is supreme, and no legislation can for long stand in its way and no jury of moral conscience in the commonwealth would convict under such circumstances."

Under the minimum wage law for women in Oregon, unemployed girls have gone from store to store begging to be given work at any wages. The manager and buyer of one of Portland's big department stores in a speech before the Credit Men's Association in that city, June 20, 1914, said, "Time and again girls come to the store pleading to work for less than the minimum and wanting to know why the State will not allow them to receive what wages they can earn." Would you condemn an employer for giving those girls work at less than legal wages rather than have them starve with no work at all? Doubtless you all have the same answer; would it be any different in the case of a minimum wage for men? Under these conditions, how difficult it would be for the State to enforce the law. For, in general, the employee breaks the law voluntarily. One of the greatest difficulties in enforcing the labor laws of your own State is the fact that employees refuse to give testimony. Your 1914 Labor Report, page 148, says: "A vast number of the reports of violations

come from workers who have known of them for a long time and have said nothing about them until they had a disagreement of some kind with their employers. Then they seek to make the Bureau of Labor the instrument for venting their spite. . . . If they have not enough interest to do more than countenance violations, the Bureau is helpless." Thus, the official report of your own State shows that the workman is not interested in seeing labor laws enforced which are supposedly for his own benefit.

Even when it would be to the employee's interest to have the law enforced, it is often impossible to obtain his testimony. On this point, the Chairman of the Oregon Industrial Welfare Commission, testifying before the Federal Commission on Industrial Relations, August 22, 1914, said that it was impossible to get women to testify from certain occupations because they were convinced they would lose their jobs. "Oregon's experience," he added, "is the same in that respect as similar commissions in other States." You propose another law. Are you prepared to assume the responsibilities for its enforcement?

The second party to the labor agreement is the employer. Would it be to his interests to obey the law? Obviously not. If the employer can obtain men to work for him at less than the minimum, his cost of production is reduced and he can therefore undersell his law abiding rival.

But it is not even necessary that the employer break the law to defeat its purposes. Many men work for small wages until they have learned the trade. The wages of these apprentices would not be effected by the establishment of a minimum wage law, and so it would be to the advantage of the employer to hire as many of these men as possible. When their terms of apprenticeship ran out the employer could transfer them to other departments and have them begin their apprenticeship over; or, he could discharge the apprentices outright and hire new ones. This is one way in which the employer can evade the law without breaking it.

A second way of defeating the purpose of the law is by increasing the number of working hours, thereby making up the increase in wages. The employer says to his workman: "I shall give you higher wages but you must work longer hours." Here the minimum wage does not improve the condition of the employee.

In a third instance of evasion, the employer has his men work only during rush periods, paying them per hour at the rate of the minimum wage. This is the plan used by Portland laundries in the case of women. The laundry workers receive the minimum while they work

but they do not work full time. Their wages per month are no larger than formerly.

A forth way of evading the law is by charging the employee more for food and lodging. In railroad construction camps, for example, the workman pays the company for his bed and board. If the law raises the wages of these men, the company can easily meet the increase by raising the price of meals and beds. Here again the law need not exist for all the good it does the workman.

When the employer thus uses apprentices, increases or reduces the number of working hours, or charges the employee more for food and lodging, he is not breaking the law. He is "getting around" the law. Thus our opponents' plan fails to accomplish its object — that of raising the standard of living of the employee.

Let me now summarize: A minimum wage law for men should not be established in Oregon and Washington because of all places the Pacific Northwest is the most unfavorable for such an experiment, first, wages here are relatively very high now; second, capital shuns those States which are experiment stations for legislation. A minimum wage law cannot be satisfactorily enforced. In the first place, it is not to the interests of the wage-earners who want jobs to observe the laws; secondly, when it is to the employee's interest to have the law enforced he refuses to give testimony for fear of losing his job, thirdly, it is not to the employer's interest that the law be obeyed for if he can obtain workers at less than the minimum he undersells his rivals. Finally, the employer can easily evade the object of the law by hiring apprentices, increasing or reducing the number of working hours, or by charging the employee more for food and lodging.

When a minimum wage law is not enforced, it fails to accomplish its object; namely, that of raising the standard of living of the workman. When the law is enforced, it throws a considerable number out of employment. (This point my colleague will develop.)

In conclusion, let us remember that the minimum wage is intended solely to help the workingman. What it actually does is raise the wages of a few men at the expense of cutting down the supply of jobs for other men. The price is too high; and it is paid chiefly by the men our opponents want to help.

SECOND SPEECH FOR THE NEGATIVE

Let us not forget that the subject this evening is, Should Washington and Oregon adopt a minimum wage at this particular time? A merely theoretical discussion cannot settle the question whether

Washington and Oregon, alone in the field, should forcibly establish a minimum wage, covering all industries, with unprecedented business depression and uncertainty here in the Northwest, before we have had time to see whether or not a minimum wage for women and children can be administered successfully. My colleague has shown that wages in Washington and Oregon are higher than in any other section of the country. That to adopt a law making wages still higher would prevent new industries from entering the State and, therefore, far from procuring higher wages for the workers of Washington and Oregon would send capital to those States where wage schedules are lower. Since the welfare of our State and especially the interests of the workers for whom the minimum wage is proposed demand industrial development, a minimum wage law would prove a positive harm. My colleague further proved that since it is so difficult to enforce even ordinary labor laws, this revolutionary law would be unenforceable because it would be contrary to the interests of the employers and of those workers who could not get positions at the wage set by law. This is the case in opposition to a minimum wage as already presented.

I shall now show that a minimum wage law in Washington and Oregon would make the condition of our laborers even worse than my colleague has predicted: and this for two additional reasons: —

First, it would ruin many business concerns or drive them to other States;

Second, in still other ways it would aggravate our already serious problems of unemployment.

First, let us consider just how the minimum wage will injure business.

Either the employer will evade the law or he will not. If he does evade it, as my colleague has pointed out, the condition of the laborer is not benefited. If the employer obeys the law the first effect would be to increase the cost of doing business. If wages are raised, the increase must come from somewhere; some one has to pay the added amount. But the gentlemen suggest that the employer will be stimulated by a minimum wage law to greater efficiency and thus gain the additional amount which he would be required to pay in wages. They forget the strenuous competition among employers which they so forcibly emphasized. It is true, the successful business man to-day must be constantly on the alert for new ways to increase output and cut down expense. Most business concerns employ men who do nothing else. And competition was never keener in the Northwest than this very winter. The employer's bread and butter is dependent on

constant improvement in the organization of his business and employees. As it is a large per cent fail. Yet our friends think that a minimum wage law in some miraculous manner will reveal to the employer a means of reducing expenses and increasing profits. If a wholesale raise of wages of the unskilled would increase the efficiency of each workman so that his earning capacity would equal his increased wages, why is it that the efficiency experts have not let out the secret? The employer is constantly giving this individual or that individual a higher wage because of special merit. But he does not raise the wages of all because he knows his business could not stand it.

One common-sense reason why the additional wages demanded by our opponents cannot be paid through the additional efficiency of laborers is this: employees will not work as hard when their wages are guaranteed by the State at a fixed sum as they will under an entirely competitive system which pays them in proportion to service rendered. Either you accept this as true or you adopt at once the complete program of Socialism. Even those who declare that the State owes every man a living do not hold that men will work all the harder when the chief incentive is removed by law. Testifying before the Industrial Relations Commission in Portland, concerning the effect of the minimum wage for women, the employers of over three thousand girls said: "There has been no increased efficiency." Even stronger than this evidence from Oregon is the practical experience of those countries which have long tried a minimum wage for men. Last year the American Board of Trade sent a committee to Australia. After making an extended investigation, they reported: "The minimum wage instead of making men more efficient is serving to make New Zealand and Australia breeding countries of loafers and idlers. It has practically destroyed all hope of reward for personal ambition." Professor Fitch, of the University of Iowa, who returned from Australia last fall, said, in the Des Moines Capitol, "The principal defect I found there was that the workmen do inferior work and less of it." Mr. Aves, an expert of the English Trades Board, who was sent by the British Government to Australia and New Zealand to study conditions, reported to Parliament as follows: "I think the evidence is conclusive that present conditions are tending, so far as workers are concerned and over a wide field, toward lower efficiency." Our own government sent an expert, Dr. Victor S. Clark, to study the working of the minimum wage in Australia. In his report, he says: "It is practically the unanimous testimony of employers that their men do not work as well under the minimum wage as before." Thus theory and expert testimony show that a minimum wage law

for Washington and Oregon, instead of increasing the efficiency of workmen, would have just the opposite effect.

Since the increased wage must come from somewhere, and it cannot come from the increased efficiency of the workers, it must come either out of the gross earnings of the industry or out of the increased price of the product. First let us consider whether the increase in wages can be taken out of the gross earnings of industries in Washington and Oregon. Very likely, if all men dealt in Standard Oil or Ford automobiles. But the fact is that while a few firms earn large dividends, the great majority merely keep their heads above water. It is generally admitted that this very winter most of our business concerns are on the margin and continue only on the expectation of better times. In your State and mine the high dividend corporation is the exception whereas the law advocated by our friends applies to hundreds of small business enterprises. When we consider further that of all those who enter business, eighty-five per cent fail under normal conditions, according to the *Commercial and Financial Chronicle*, when we consider that according to R. G. Dun's *Trade Review*, 468 business concerns failed in the past six months in the States of Washington and Oregon; that during those six months, 294 firms discontinued business in Spokane and 624 in your own city of Seattle; when we consider the heroic efforts of business this winter to maintain itself under a reduced tariff and increased Federal and State taxes, a European war and general industrial depression, to adopt a minimum wage law raising still higher the cost of doing business would be to compel many employers to tack over their doors "Closed until further notice." If the minimum wage were adopted, some business concerns might emigrate to States where laws are more favorable to industry, but this would not benefit the workers of Washington and Oregon. If the increase of wages advocated by our opponents is taken out of the gross earnings of business, many concerns would be ruined and many men who are now earning an honest living would be compelled to join the already swollen ranks of the unemployed.

There remains one other source for the proposed increase of wages, namely, the increased price of the product, by which the extra wage burden would be shifted to the consumer. Since, however, the proposed law applies to only two States, the employer cannot raise the price — interstate competition forbids. He does business now only because his cost of production is virtually that of his competitors in other States. For this reason, Paul V. Kellogg, editor of *The Survey*, the most enlightened social welfare magazine in the United States,

himself an untiring worker for better conditions of laborers, is nevertheless opposed to the minimum wage as advocated by our opponent. Speaking before the Conference of Charities and Corrections in Boston he said, "Because of this force of interstate competition, I am heartily opposed to the minimum wage for adult males unless we can get a method that will be binding on all employers in all States."

Sidney Webb, the great English economist, and England's most active and best informed advocate of a minimum wage is opposed to the plan of our opponents. In Fabian Tract, no. 18, he says, "The law must be national, that is it must apply to the country as a whole in order that no district shall undersell another at the cost of national vitality."

To illustrate the effect of a minimum wage law, let us take the lumber industry, which employs 64 per cent of all workers in Washington and 54 per cent in Oregon. It employs more men than all other industries put together. Again I say, if the wages are raised, the increase must come from somewhere. Since a minimum wage does not increase the efficiency of the working man, the increase wage must come, either from the pockets of the lumber men or from an increase in the price of lumber. Can this increased wage come from the pockets of the lumbermen? It cannot because their profits are now meager, many are not making anything at all and many have had to close their plants. As proof of this the 1914 *Trade Review*, published by R. G. Dun Co., says: "Not since 1907 has the lumber industry been so badly demoralized. Prices sagged to a level where profits were wiped completely out." If any doubt remains as to the present status of the lumber industry, let me quote Mr. W. W. Clark, manager of the Clark Wilson Lumber Company, as reported in the *Portland Oregonian*, December 17: "The Tacoma meeting of lumbermen," he said, "attended by over 200 millmen was a very plain-spoken affair. It was shown that lumber was being moved below costs, that half the Northwest mills had shut down and that others were to follow." Another well-known lumberman, Mr. G. X. Wendling said before a Congressional Committee last month, "Any increase in the cost of production added to the handicap of greater distance of shipping would result in shutting out our fir lumber because of the competition of fir from Canada and yellow pine from the Southern States." All this evidence proves that if we were to raise wages to the extent advocated we would virtually destroy the already crippled lumber industry in Washington and Oregon. Many of the men would lose their jobs. Instead of getting as they do now the highest wages in the United States they would get

nothing at all. A minimum wage is sure to increase the number of unemployed.

In the English coal strike of 1912 a minimum wage law was passed. The *Century Magazine*, speaking editorially, said: "Under the terms of the law certain coal mines could not be operated, their margin of profit was so small. Instead of a guarantee of a minimum wage the miners received no wages at all."

But you say, "Not all of the business concerns would be destroyed." True, some firms would raise wages and continue to do business, but how? First by laying off the less efficient men, by discharging those who are unable to earn the legal minimum wage. The gentlemen have claimed a great deal for the scheme but they have not claimed that the minimum wage law guarantees any one a job. Instead of receiving the low wage to which their labor entitled them, the slow workers and the gray-haired workers and those who are slightly deficient in physical and mental power, would be prevented by law from receiving any wages at all. Thus the plan of the gentlemen from Washington makes worse the very conditions which it is supposed to improve, and would injure most quickly and most severely the very persons it is supposed to help.

Writing in *The Independent* of conditions in Australia Henry D. Lloyd says, "The inspector reports that the minimum proved to be more than the manufacturers were willing to pay these incompetents, with the result that many were converted into tramps."

A minimum wage law would make bad industrial conditions worse. In the words of Sidney Brooks, the English labor authority, "On whatever basis the minimum wage is regulated it is sure to increase the volume of the unemployed." If it is in the name of justice that the gentlemen advocate a minimum wage law, it is fair to ask them, "What justice is there in a law which declares that because a man cannot earn \$15 a week, but can earn \$10, he shall not be allowed to earn anything at all?" The minimum wage will further increase the number of unemployed men by putting women in their places. There will be the substitution for this reason; the minimum wage for a man is based on the cost of maintaining a family; the minimum wage for woman in Washington and Oregon is based on the cost of living for an individual woman. It is highly probable, therefore, that in those occupations where men and women perform about the same work, as in stores, canneries, and manufacturing plants women at the lower minimum would be substituted for men at the higher minimum. Again the result of artificially setting wages by law would be a large army of unemployed men. Even if it were well for more

women to leave their homes and go into industry it is hardly well to impose idleness on men by law.

Any way you look at it, the minimum wage is bound to increase the number of unemployed men. Unemployment is the most serious labor problem Washington and Oregon have to solve. So far they have hardly made a beginning. In the words of the English coal miners, it is not higher wages that is needed, it is more work. Low wages while a man works is not the fundamental cause of poverty. In Amos G. Warner's book, *American Charities*, we find that out of 7225 poverty-stricken families less than two per cent of the cases were due to low wages. The main causes were unemployment, sickness, and drink. In the latest bulletin of the American Association for Labor Legislation we find these figures: Of 6060 families investigated 77 per cent of the poverty was attributed to sickness and unemployment; the remaining 23 per cent to drink, low wages, and shiftlessness. In Washington and Oregon a large part of poverty caused by drink and sickness is now and will be lessened by our compensation laws and prohibition laws. But the problem of unemployment, as State Commissioner Olson says in his Report, is getting greater every year. Not long ago your Chief of Police, Mr. Griffiths, returning from the East reported greater numbers of unemployed throughout the country than ever before. The *Welfare Magazine* of Seattle, commenting on this, said, "If this is the case in the East, in the Northwest things are correspondingly worse." Why this very evening there are in your city and mine, literally, thousands of homeless, underfed men, unable to get employment, forced to accept the crusts of charity because there are not enough jobs and yet our opponents propose to increase this number. They would raise the wages of some at the expense of unemployment for the rest. To show you the effects of even a woman's minimum wage law, let me read from one of your daily papers the story of a woman who lost her job. "Because of the rise in our wages, the hotels were compelled to do away with women chambermaids entirely and hire Japanese. . . I know myself of two of the women thus thrown out of work who have been forced to go to washing for a living. Neither of them is strong enough for such work and it is only a question of time until they will break down and become public charges. Some of us receive \$35 a month with our lunches, others \$20 and board, others \$30 and uniforms and one hearty meal daily. This gives all a respectable living and we are satisfied with it. As between the present salary and steady work and a higher salary and no work, we prefer present conditions."

Again I wish to ask the question, What justice is there in a law which declares that since a person cannot earn \$38 a month but can earn thirty they shall not be permitted to earn anything at all. Instead they shall be made to beg and starve.

Let me briefly summarize the position of the negative: We are opposed to a minimum wage for men in Washington and Oregon because wages are higher here than in any part of the country, therefore, to raise wages still higher would prevent our industrial development and therefore not benefit the workers; in the second place the law would be to a considerable extent evaded, and therefore would not benefit the workers; in the third place, with the peculiar conditions now existing in our industries, a minimum wage law would cause immediate ruin to a number of business concerns, throwing the employees out of work, thereby not benefiting the workers, and in the fourth place in those concerns that still existed the old and partially incompetent workers would be discharged and therefore no benefit to the very ones it is supposed to help. In short it will only make bad industrial conditions worse.

APPENDIX XVIII

SPECIMEN CONSTITUTIONS: FOR DISCUSSION LEAGUES AND DEBATING CLUBS

STUDENTS may obtain bulletins containing specimen constitutions for civic clubs, debating organizations, etc., from the extension divisions of several state universities. These bulletins are free to residents of the State and will be sent at small cost to students living elsewhere. When writing for them, address "The Extension Division" of the university of the State, or write for one of the bulletins in the following list:—

California University. Extension Division. *Constitution and Rules and Regulations of the Interscholastic Public-Speaking League of California*. Berkeley, Cal. Published by the University, 1915. 19 pp. 5 cts.

Indiana University. Extension Division. *Manual for Civic Discussion Clubs*. Bloomington, 1913. 24 pp.

Wisconsin University. Extension Division. *Civic Clubs, Organization, Programs, Loans to Clubs*. Madison. Published by the University, 1909. 7 pp. 5 cts.

Wisconsin University. Extension Division. *Debating Societies, Organization and Procedure*. Madison. Published by the University, 1911. 34 pp. 10 cts.

Wisconsin University. Extension Division. *Suggested Constitution for Triangular Debating Leagues*. Madison, 1911. 10 pp. 5 cts.

Foster, W. T. *Essentials of Exposition and Argument*. Houghton Mifflin Company, 1911. 244 pp. 90 cts.

Appendix VI, "Specimen Forms of Agreement for Triangular High School Debating Leagues and State High School Debating Leagues."

Phelps, E. M., comp. *Debaters' Manual*. 2d ed. The H. W. Wilson Company, 1916. \$1.

Part II, "Debating Societies: Organization and Management." Includes model constitutions and contracts for triangular leagues.

APPENDIX XIX

WHERE TO FIND MATERIAL ON TOPICS FOR DEBATE

STUDENTS preparing for debates save much time if they are thoroughly familiar with local libraries, their resources and the possibilities of assistance that they offer. They should understand how to use the catalogue of the library, how books are entered in it under the author's name, the subject and the title. The assistants in the library will be interested in knowing on what subject they need material and can help greatly in bringing within reach the resources of that and other libraries. Too much cannot be said of the value of work done by the student himself, but on the other hand, the work should be well organized from the very beginning.

BOOKS AND PAMPHLETS ON GATHERING MATERIAL

Winans, J. A. *Public Speaking, Principles and Practice*. Century Co., 1916. 476 pp. \$1.50. Chap. xv, "Finding Material-Originality."

Drury, N. B. *Debating Material*. 8 pp. 5 cts. California University. Extension Division. Bulletin, ser. 4, no. 1.

Fay, L. E., and Eaton, A. T. *Instruction in the Use of Books and Libraries*. Boston Book Company, 1915. 449 pp. \$2.25.

Phelps, E. M., comp. *Debaters' Manual*. The H. W. Wilson Company, 1916. 181 pp. \$1.

Part I, section 3a, "Collecting and Recording Material for Evidence."

BIBLIOGRAPHIES

A good bibliography of the topic for debate saves a student much time. Most libraries have on their shelves all those published by the Library of Congress and can often get from it typewritten copies of bibliographies on very recent topics of discussion. Those lists can be bought from the Superintendent of Documents in Washington from lists supplied by the Library of Congress. Many books contain bibliographies of specific subjects, varying from a brief list of books

to a careful and fairly complete list of the books in the field. Various debate manuals, handbooks, and collections of debates include a list of references used in the preparation of the debate.

The *American Library Annual* contains a list of bibliographies published during the year, in English and American books, bulletins, and pamphlets. Valuable bibliographies can be found at the end of articles in *Encyclopædias*. *Both sides* — briefs for debate on important questions of the day — appear in the weekly *Independent* with lists of references. Periodicals devoted to a special subject often list the current literature of that subject. The *National Municipal Review*, *Journal of Political Economy*, and the *American Labor Legislation Review* print lists on specific topics and review the current literature of the field.

INDEXES TO PERIODICALS

Poole's Index to Periodical Literature, 1815-1904. *Readers' Guide to Periodical Literature*, 1900-date. The H. W. Wilson Company.

Indexes the magazines commonly found in libraries.

Readers' Guide to Periodical Literature. Supplement, 1907-date. The H. W. Wilson Company.

Indexes periodicals not included in the Guide and less commonly subscribed to by libraries.

Magazine Subject Index, 1908-date. The Boston Book Company.

Indexes many magazines not included in the *Readers' Guide* or its supplement.

Industrial Arts Index, 1913-date. The H. W. Wilson Company.

Indexes the leading trade, technical and engineering journals of the year.

Agricultural Index, 1916-date. The H. W. Wilson Company.

Subject index of agricultural (broadly defined) periodicals, bulletins and reports.

Index to Legal Periodicals, 1908-date. The H. W. Wilson Company.

Engineering Index, 1884-date. The Engineering Magazine Company.

Subject index of technical periodicals. Annotates each article.

Public Affairs Information Service, 1915-date. The H. W. Wilson Company.

Acts as clearing-house for distribution of information concerning problems of research through its weekly bulletin, and

lends documents to subscribers to the service. Its bulletins list material not available elsewhere.

Index Medicus, 1903–date. The Carnegie Institution of Washington.

A monthly classified record of the current medical literature of the world.

Business Digest, 1917–date. Cumulative Digest Corporation.

Gives brief abstracts of essential contents of about fifty business periodicals, notes of important business articles in current general and technical periodicals, and notices of books and publications on business topics, including government reports, bulletins, etc.

INDEXES TO NEWSPAPERS

The *New York Times* publishes an index to the daily issue. This and the yearly index to the *London Times and Information*, a digest of current events and world progress, can be used as an index to dates. With the date as a guide, these indexes may be used with any newspaper. Chronological lists of current events published in magazines that review recent progress can be used as an index to newspaper files in the same way.

GOVERNMENT PUBLICATIONS

A vast amount of material is published by the federal, state and city authorities. Indexes to the United States Documents are kept in libraries where a file of the publications is on the shelves. The *Congressional Record* discussion of current topics is indexed separately, weekly, as it is published in unbound form, or at the end of the session when the index volume covers all the debate of that session. It is indexed under three heads; names, subjects, and bills by their official numbers. A monthly index covers all other federal publications and includes the reports and documents of Congress, reports, bulletins, etc., of all executive departments and independent bureaus and commissions. At the close of each session of Congress a catalogue is published listing and describing all the publications of that session. It includes only reports and documents published by the authority of the House of Representatives and the Senate. It does not include reports, bulletins, etc., of executive departments and independent bureaus. At the close of each Congress a catalogue is published listing all federal publications issued during the period of that Congress. This includes the reports and documents of both houses of Congress, and the various reports, bulletins, etc., of the other divisions of the Government.

The Carnegie Institution of Washington publishes a valuable *Index of Economic Material in the Documents of the States of the United States*.

For state and municipal publications, the index work is scattered. The Library of Congress publishes a *Monthly List of State Publications*, but as it attempts no monthly subject index, it is not of great help in this work. The *Public Affairs Information Service* and the *Bulletin of the Bureau of Municipal Research* in New York City index much of this material. The *National Municipal Review* bibliographical notes are excellent indexes to state and city publications. Students will find in general that the heads of government offices will supply free, or at small cost, reports, bulletins, or other publications which they need for debate work. In the case of federal documents, application for reports, bulletins, etc., can be sent to Congressmen who have a certain number available for distribution.

PUBLICATIONS OF SOCIETIES WITH A PURPOSE

Much valuable material is often published by societies whose aims hold in view changes in the existing social order and whose publications record from time to time the improvements made or the current discussion on the subject. In some cases all publications are sent free of cost or at slight expense to the student requesting them. By writing directly to the office, students can obtain those publications that are free and a price list of those for sale. Those publications in the list below marked with an asterisk (*) are free to all students who apply. The following list includes some of these societies and bureaus: —

- *American Association for International Conciliation, Substation 84, 501 W. 116th Street, New York.
- American Association for Labor Legislation, 131 E. 23d Street, New York.
- American Board of Commissioners for Foreign Missions, 14 Beacon Street, Boston, Mass.
- *American Federation of Labor, 801-809 G Street, N.W., Washington, D.C.
- American Free Trade League, Boston, Mass.
- American Highway Association, 708 Colorado Building, Washington, D.C.
- American Negro Academy, 1439 Pierce Place, Washington, D.C.
- American Neutral Conference Committee, 70 Fifth Avenue, New York.
- *American Peace Society, 313-314 Colorado Building, Washington, D.C.

American Proportional Representation League, Franklin Bank Building, Philadelphia, Pa.

American Protective Tariff League, 339 Broadway, New York.

*American School Peace League, 405 Marlborough Street, Boston, Mass.

American Social Hygiene Association, Tilden Building, 105 W. 40th Street, New York.

*American Society for Judicial Settlement of International Disputes, Tunstall Smith, sec., The Preston, Baltimore, Md.

American Society for the Control of Cancer, 289 Fourth Avenue, New York.

American Telephone and Telegraph Company, 15 Dey Street, New York.

Anti-imperialist League, 40 Central Street, Boston, Mass.

*Anti-preparedness Committee, Munsey Building, Washington, D.C.

*Asiatic Exclusion League, Merchants' National Bank Building, San Francisco, Cal.

Bureau of Municipal Research, 261 Broadway, New York.

Bureau of Railway Economics, 1329 Pennsylvania Avenue, Washington, D.C.

*Carnegie Endowment for International Peace, 2 Jackson Place, Washington, D.C.; 407 W. 117th Street, New York.

*Carnegie Foundation for the Advancement of Teaching, 542 Fifth Avenue, New York.

Christian Science Publishing Society, Falmouth and St. Paul Streets, Boston, Mass.

College Equal Suffrage League of California, 1143 Leavenworth Street, San Francisco, Cal.

Commonwealth Club of California, 153 Kearny Street, San Francisco, Cal.

Congressional Union for Woman's Suffrage, Washington, D.C.

Connecticut Woman Suffrage Association, Hartford, Conn.

*Drama League of America, 1145-46 Marquette Building, Chicago, Ill.

*East and West News Bureau, Woolworth Building, New York.

Equal Suffrage League of Baltimore, Baltimore, Md.

Fabian Society, 25, Tothill Street, Westminster, London.

Immigrant Education Society, 241 Fifth Avenue, New York.

Immigration Restriction League, Barristers' Hall, Boston, Mass.

Industrial Workers of the World, 164 West Washington Street, Chicago, Ill.

Intercollegiate Socialist Society, 70 Fifth Avenue, New York.

Interurban Woman Suffrage Council, 29 East 29th Street, New York.

*Japan Society, 165 Broadway, New York.

Jewish Publication Society of America, 608 Chestnut Street, Philadelphia.

*Juvenile Protective Association of Chicago, 816 S. Halstead Street, Chicago, Ill.

*Lake Mohonk Conference, Mohonk Lake, New York.

*League to Enforce Peace, 70 Fifth Avenue, New York.

Life Extension Institute, 25 W. 45th Street, New York.

*Massachusetts Association opposed to the further Extension of Suffrage to Women, 615 Kensington Building, Boston, Mass.

Municipal Ownership Publishing Company, 17 East 38th Street, New York.

*National American Woman Suffrage Association, 171 Madison Avenue, New York.

National Association of Wool Manufacturers, Shawmut Bank Building, Boston, Mass.

National Association for the Study and Prevention of Tuberculosis, 105 E. 22d Street, New York.

National Association of Audubon Societies, 1974 Broadway, New York.

National Board of Y.W.C.A. of the United States, 125 E. 27th Street, New York.

National Child Labor Committee, 105 E. 22d Street, New York.

{ National Civil Service Reform League, 79 Wall Street, New York.

*National Committee for Mental Hygiene, Inc., 50 Union Square, New York.

National Committee for the Prevention of Blindness, 130 East 22d Street, New York.

National Conference of Charities and Correction, Alexander Johnson, sec., Fort Wayne, Ind.

National Conservation Association, Munsey Building, Washington, D.C.

*National Consumers' League, 105 E. 22d Street, New York.

National Educational Association, Durand W. Springer, sec., Ann Arbor, Mich.

National Independent Telephone Association. Washington, D.C.

National Liberal Immigration League, 150 Nassau Street, New York.

National Security League, 31 Pine Street, New York.

National Short Ballot Organization, 383 Fourth Avenue, New York.

National Society for the Promotion of Industrial Education, 140 W. 42d Street, New York.

National Tax Association, 15 Dey Street, New York.

*Navy League of United States, Southern Building, Washington, D.C.

National Woman's Christian Temperance Union, Literature Building, Evanston, Ill.

New England Free Trade League, 649 Tremont Building, Boston, Mass.

North America Civic League for Immigrants, 173 State Street, Boston, Mass.

*Peace Association of Friends, 22 South 12th Street, Philadelphia, Penn.

*Philippine Society, 149 Broadway, New York.

Religious Education Association, 332 S. Michigan Avenue, Chicago, Ill.

*Simplified Spelling Board, 18 Old Slip, New York.

*Society for Judicial Settlement of International Disputes, Baltimore, Md.

Student Volunteer Movement for Foreign Missions, 25 Madison Avenue, New York.

Tax Reform Association of the District of Columbia, 31 Tea Street, N.W. Washington, D.C.

Women's Educational and Industrial Union, 264 Boylston Street, Boston, Mass.

Workmen's Compensation Publicity Bureau, 80 Maiden Lane, New York.

*World Peace Foundation, 40 Mt. Vernon Street, Boston, Mass.

COLLEGE AND UNIVERSITY PUBLICATIONS

The Extension Divisions of many of the state universities issue bulletins intended to be aids to students preparing debates. They include brief manuals of the principles of debating, specimen constitutions for debating societies and interscholastic debating leagues, and a series of bulletins stating briefly the topic for debate followed by a list of references. In general they are sent free to students who are residents of the State and at small cost to those living in other States.

California University. Extension Division.

Bulletins have been published by the Bureau of Public Discussion on the following subjects: —

Woman suffrage, Philippine Independence, Commission Government for the State of California, Educational Test for Immigrants, National Progressive Inheritance Tax, Tariff, Government Ownership of the Telephone and Telegraph, Constitution and Rules and Regulations of the Interscholastic Public-Speaking League of California, 1916, Six-Year Presidential Term, Unemployment, Proportional Representation, Direct Primary, International Court, Monroe Doctrine, City Manager Plan.

Each contains a brief statement and a suggestive list of references. Free to residents of the State; to others five cents each.

Chicago University Debates.

Federal Graduated Income Tax. Briefs and bibliography. 46 pp. 1908.

Federal Incorporation. Two complete debates, including the speeches of Northwestern and Michigan representatives. Bibliography. 76 pp. 1908.

Literacy Test for Immigrants. Briefs and bibliography. 62 pp. 1916.

Minimum Wage. Briefs and bibliography. 51 pp. 1914.

Recall (excluding judges). Brief and bibliography. 38 pp. 1912.

For sale by the H. W. Wilson Company, White Plains, New York. \$1.00 each.

Iowa University Debates. Published by the H. W. Wilson Company. \$1.00 each.

Closed Shop. 1910-13. 44 pp.

Federal Charter for Interstate Corporations. 1912-13. 36 pp.

Graduated Income Tax. 1909-10. 46 pp.

Literacy Test for Immigrants. 1913-14. 31 pp.

Ship Subsidies. 1911-12. 39 pp.

Oklahoma University.

Debate bulletins have been published by the Extension division on the following topics:—

Initiative and Referendum, Unicameral Legislatures, Guaranty of Bank Deposits, Woman's Suffrage, Consolidation of Rural Schools, Municipal Affairs, Preferential Ballot, Government Ownership of Railroads, Single Tax, Munitions of War, Workmen's Compensation, Monroe Doctrine.

These are sent free of charge to residents of the State; to those living outside the State, a small charge is made.

Texas University Debates. Published by the Extension Division. 30 cents each.

Banking and Currency Reform. 1913. 54 pp.

Compulsory Old-Age Insurance. 1913. 28 pp.

Literacy Test for Immigrants. 1914. 34 pp.

Six-Year Presidential Term. 1914. 26 pp.

Washington University. Extension Division. *Military Training in the Public Schools.* 10 cents.

Wisconsin University Debates. Published by the Extension Division.

Annexation of Cuba, Independence of Philippines, Central Reserve Association, Close *vs.* Open Shop, Commission Plan of City Government, Consolidation of Rural Schools, Free Textbooks, Guaranty of Bank Deposits, Income Tax, Increase of Navy, Ship Subsidies, Inheritance Tax, Initiative and Referendum, Municipal Home Rule, Parcel Post, Poetry *vs.* Prose, Popular References of United States Senators, Postal Savings Bank, Proportional Representation, Recall, Restriction of Immigration, Shall We Increase Our Army and Navy? Simplified Spelling, Tariff on Trust-Made Steel Articles, Woman Suffrage.

The bulletins available are sent upon application without charge to citizens of the State. Copies will be mailed to addresses outside the State upon receipt of five cents.

Publications of the departments of economics, sociology, etc., in colleges and universities often contain discussions of current topics of value to debaters. These are free or can be secured at small cost. Reed College, Portland, Oregon, Bulletins on Problems of Unemployment and Control of Motion-Picture and Vaudeville Shows will be sent free of charge to all students applying for them.

PACKAGE LIBRARIES

Collections of magazine articles, reports, bulletins, etc., are made on specific subjects and loaned for two weeks at small charge by companies doing this commercially. They are sent out free of charge by the Extension Division of a state university or the state library. They are not often sent free to students outside the State.

The H. W. Wilson Company sends package libraries to any one in any part of the country and charges for the service. The American Institute of Current History, 2121 Addison Street, Berkeley, California, also charges for its services. Residents of the States of Wisconsin and Indiana may have this service free of charge from the Extension Division of the state university; in Oregon the same work is done by the State Library in Salem.

DEBATE HANDBOOK SERIES

Published by the H. W. Wilson Company. \$1.25 each.

Each volume of this series contains a brief, bibliography and reprints of articles in books and periodicals. Volumes have been published on the following topics: —

Capital punishment, Central Bank, Child Labor (no brief), City Manager Plan, Commission Plan of Municipal Government, Compulsory Arbitration of Industrial Disputes, Compulsory Insurance (no brief), Conservation of Natural Resources, Direct Primaries, Election of United States Senators, Employment of Women (no brief), Federal Control of Interstate Corporations, Free Trade *vs.* Protection, Government Ownership of Railroads, Government Ownership of Telegraph and Telephone, Immigration, Income Tax, Initiative and Referendum, Merchant Marine, Minimum Wage, Monroe Doctrine, Mothers' Pensions, Municipal Ownership, National Defense (2 vols.), Open *vs.* Closed Shop, Parcels Post, Prohibition, Recall (including recall of judges and judicial decisions), Reciprocity, Single Tax, Trade Unions, Unemployment, Woman Suffrage, World Peace.

BRIEF LIST OF BOOKS ON DEBATING

Books on Argumentation and Debating.

Alden, R. M. *Art of Debate.* Holt. \$1.12.

"The most readable book on the subject. Sound in theory. Not adapted for use as a textbook."

Baker, G. P., and Huntington, H. B. *Principles of Argumentation.* Rev. ed. Ginn & Company, 1905. 677 pp. \$1.25.

Pioneer book in the field.

Foster, W. T. *Essentials of Exposition and Argument.* Houghton Mifflin Company, 1911. 244 pp. 90 cents.

Aims to present the essentials of exposition and argument as simply as possible. Prepared expressly for secondary schools.

Gardiner, J. H. *Making of Arguments*. Ginn & Company, 1912. 290 pp. \$1.

Lays stress on the making of arguments as a practical kind of appeal that every young man is already making to his fellows on matters that interest him, and he will make more and more in earnest as he gets out into the world. Preface.

Gislason, H. B. *Effective Debating*. University of Minnesota, 1914: 55 pp. Minnesota University. Bulletin, General Series no. 14.

Outlines briefly the principles and gives a sample brief.

Houghton, H. G. *Elements of Public Speaking*. Ginn & Company, 1916. \$1.40.

Puts the essentials in simple understandable form, gives a minimum of theory and a maximum of practice.

Indiana University. Extension Division. *Public Discussion Manual for Civic Discussion Clubs*. (Indiana University. Extension Division. Bulletin.)

Public discussion bulletins are free.

Phelps, E. M. *Debaters' Manual*. H. W. Wilson Company, 2d ed., 1916. \$1.25.

Made up largely of reprints of the best available material on the subject. Part 1 concerns the presentation of the debate; part 2, the organization and management of debating societies. Appendix, bibliographical notes.

Wisconsin University. Extension Division. *Principles of Effective Debating*. 4th ed. Madison. Published by the University, 1912. 43 pp. 15 cents. (Department of Debating and Public Discussion.)

Brief outline of theory.

Books on Public Speaking.

Winans, J. A. *Public Speaking*. New York, The Century Company, 1916. \$1.50.

Aims to develop in the student a speaker's intelligence that will enable him to meet situations as they arise. . . .

Problems drawn from everyday life.

Winter, I. L. *Public Speaking; Principles and Practice*. The Macmillan Company, 1912. \$2.

"This book is designed to set forth the main principles of effective platform delivery and to provide a large body of material for student practice. . . . It has been prepared with a view also to that large number who want to speak, or

have to speak but cannot have the advantage of a teacher." (Preface.)

Specimen Orations and Arguments.

Baker, G. P. *Forms of Public Address*. Henry Holt & Company. 1904. \$1.12.

Specimens of Exposition and Argument.

Baker, G. P. *Specimens of Argumentation. Modern*. Henry Holt & Company, 1897. 203 pp. 50 cts.

Examples that illustrate clearly points made in the classroom, as well as suggestions and rules given there.

Foster, W. T. *Essentials of Exposition and Argument*. Houghton Mifflin Company, 1911. 244 pp. 90 cents.

Aims to present the essentials of exposition and argument as simply as possible. Prepared expressly for secondary schools.

"An adaptation of the author's *Argumentation and Debating* for high schools and debating clubs. Contains specimen briefs, arguments and material for briefing, summary of parliamentary rules for debaters and 50 propositions." (A.L.A. Catalogue, Supplement.)

Percival, Milton, and Jelliffe, R. A. *Specimens of Exposition and Argument*. The Macmillan Company, 1908. 362 pp. 90 cents.

Contains examples of exposition by definition and analysis, persuasion, arguments, refutation, controversy.

Specimen Briefs.

Both Sides; Briefs for Debate on Important Questions of the Day.

Prepared for the use of schools, debating societies, and lyceums by the *Independent*. The *Independent*, 1913–date. 25 cents.

These brief's appear from time to time in weekly numbers of the *New York Independent* and are also assembled at intervals in pamphlet form.

Foster, W. T. *Essentials of Exposition and Argument*. Houghton Mifflin Company, 1911. 244 pp. 90 cents.

Mabie, E. C., ed. *University Debaters' Annual*. Constructive and rebuttal speeches delivered in debates of American colleges and universities during the college year 1914–date. The H. W. Wilson Company. \$1.80 each.

"These volumes afford a permanent record of the work of debaters in American colleges and universities. They also afford specimen material for use of students of debate and argumentation." (Preface.)

"Brief, debate, and bibliography in each case. Of the speeches, some are poor, some are good, and some are excellent. The book is very well put together and is an interesting volume for any one interested in American intercollegiate debating." (J. M. O'Neill.)

Subjects debated are Increase of Army and Navy, Monroe Doctrine, Minimum Wage, Government Ownership of Telegraph and Telephone, Socialism and Single Tax, International Police Force, Preparedness, Compulsory Military Service, City Manager Plan of Government, National Prohibition, Restriction of Immigration by the Literacy Test, Compulsory Industrial Insurance. Briefs and bibliographies are included.

Maxcy, C. L. *Brief: With Selections for Briefing*. Houghton Mifflin Company, 1916. \$1.25.

Discussion of the argumentative brief followed by examples of argumentative and legal brief-making. Includes examples of faulty briefing and selections for briefing.

Ringwalt, R. C. *Briefs on Public Questions*. With a selected list of references. Longmans, 1911. \$1.20.

"States twenty-five social, political, and economic questions defining their issues and providing affirmative and negative briefs and references." (N.Y.S.L. Best books.)

Specimen Debates.

Literacy Tests for Immigrants. A Debate. The constructive and rebuttal speeches of the representatives of the University of Chicago in the 18th annual contest of the Central Debating League against Michigan and Northwestern, January 21, 1916. Chicago, The Delta Sigma Rho, 1916. For sale by the H. W. Wilson Company. \$1.

"This is an edited manuscript, not a stenographic report of what was said on the platform." (J. M. O'Neill.)

Mabie, E. C., ed. *University Debaters' Annual*. Constructive and rebuttal speeches delivered in debates of American colleges and universities during the college year 1914–date. The H. W. Wilson Company. \$1.80 each.

See remarks under *Specimen Briefs*.

Mabie, E. C., and White, L. D., eds. *Compulsory Arbitration of Labor Disputes on Interstate Railroads*. Constructive and rebuttal speeches in the New England Triangular League debates, March 12, 1914, by the representatives of Dartmouth College. The H. W. Wilson Company, 1914. \$1.25.

Mabie, E. C., and White, L. D., eds. *Courts and Social Reform.* Recall of judicial decisions *vs.* more rapid methods of constitutional amendment and the amendment of the Federal Judicial Code, sec. 237. Constructive and rebuttal speeches by the representatives of Brown University, Dartmouth College, and Williams College. With bibliography. The H. W. Wilson Company. 1912. \$1.

Judging Debates.

California University. Extension Division. Bureau of Public Discussion. *Judging the Debate.* Berkeley, California. University of California Press. 1915.

Wisconsin University. Extension Division. *How to Judge a Debate.* Madison. Published by the University. 1911. 11 pp. (Department of Debating and Public Discussion.)

APPENDIX XX

A LIST OF PROPOSITIONS

POLITICS (NATIONAL)

1. A Republican victory in the next presidential election would be for the best interests of the United States.
2. The direct nomination for office by vote of the party is superior to the system of caucus and convention.
3. The President should be allowed to veto items in appropriation bills.
4. A system of compulsory voting should be adopted in the United States.
5. The "electoral college" should be abolished and the President elected by direct vote of the people.
6. The executive budget substantially similar to that recommended by the Taft committee should be adopted by Congress.
7. The Federal Government should own and operate the telegraph and telephone systems.
8. Railroads and common carriers regulated by the Interstate Commerce Commission should be removed from the provisions of the Sherman Anti-Trust Law.
9. The State should relinquish all rate-regulation of common carriers to the Federal Government.
10. A system of compulsory arbitration in railway disputes should be adopted.
11. There should be national regulation of insurance companies doing business in more than one state.
12. There is need for a revival of the Progressive Party.
13. There should be free toll for American coastwise traffic through the Panama Canal.
14. The provisions of Section 2 of Article XIV of the Amendments to the Constitution of the United States should be enforced.
15. The number of Representatives to Congress should be reduced.
16. An amendment to the Constitution of the United States providing for a change in the method of treaty-making is desirable.
17. The Fifteenth Amendment should be repealed.

18. We should at once announce our purpose to deal with the Filipinos as we deal with the Cubans.
19. An amendment of the Constitution should be adopted convening the first session of Congress within a few months after the election and compelling the second session to adjourn several days before the following election.
20. Corporations should be required to take out a federal license before engaging in interstate commerce.
21. Representatives to Congress should be chosen by a system of proportional representation.
22. The present distribution of power between the Federal and State Governments calls for readjustment in the direction of further centralization.
23. The annexation of the Island of San Domingo to the United States would be for the interests of the United States.
24. Congress should pass an equal suffrage law.
25. The United States should hold territory permanently only with the purpose that it shall ultimately enjoy statehood.
26. The system of voting by mail in local, state, and national elections (as proposed by Dr. Edward Stanwood in the *Atlantic Monthly*, vol. LXXXVI, pp. 568-73) should be adopted in the United States.
27. The powers of the Interstate Commerce Commission should be enlarged.
28. Mr. ——— rather than Mr. ——— should be the next President of the United States.
29. The changes in the constitutions of Southern States, since 1889, by which the negro vote in such States has been restricted, are, on the whole, to be commended.
30. Postmasters should be elected by popular vote.
31. Political parties are a necessity to free government.
32. The annexation of Cuba to the United States would be for the best interests of Cuba.
33. Granting the willingness of Cuba, the annexation of Cuba to the United States would be for the best interests of the United States.
34. The present laws relating to Chinese immigration should be amended to include the Japanese.
35. Corporate contributions to campaign funds should be prohibited by federal legislation.
36. The term of office of the President of the United States should be six years.

37. The powers of the Council of National Defense should be enlarged.
38. Ex-Presidents of the United States should be Senators-at-large for life.
39. A voter can serve his country better as a consistent supporter of one party than as an independent voter.
40. The standing committees of the House of Representatives of the United States should be elected by the House rather than chosen by the Speaker.
41. There should be an educational test as a qualification for voting.
42. The United States should permanently retain the Philippines.
43. The national parties should adopt a preferential primary for the nomination of President.
44. The Susan B. Anthony suffrage amendment should be adopted.
45. A system of leasing of power sites should be adopted by the Federal Government.
46. Congress, by additional legislation, should protect interstate corporations of all kinds from interference by state taxation.
47. The powers of the President of the United States should be curtailed.
48. It would be to the advantage of the United States to annex Canada.
49. The United States should have exclusive jurisdiction over Bering Sea.
50. The United States should make no discrimination between the immigrants from China and those from other countries.
51. The appointment of consuls should come under the Civil Service rules.
52. The United States should adopt a system of responsible cabinet government.
53. An act should be passed specifically providing for the naturalization of Japanese who come here intending to become American citizens.
54. _____ should be given a territorial form of government.
55. The Senate of the United States should adopt a closure rule.
56. Congress should be given power, by constitutional amendment, to legislate directly concerning commerce and manufactures within the several States.
57. Full citizenship in the United States, with representation in Congress, should be granted to the people of _____.
58. Lobbying in Congress should be confined to licensed lobbyists.

59. The President of the United States is justified in calling out the militia to quell local disturbances, without the consent or request of state authorities.
60. The courts should be forbidden by law to issue sweeping or "blanket" injunctions in labor disputes.
61. In the United States the jury system is not the best means of serving the ends of justice.
62. Public advocacy of violent means for the subversion of government should be suppressed by law in the United States.
63. The United States Senate should seat any man appointed by the Governor of a State, when the Legislature adjourns without filling the vacancy.
64. The constitutional guaranties and restrictions should apply to all territory which may be permanently controlled by the United States.
65. The Constitution should be so amended as to make the passing of amendments easier.

POLITICS (STATE)

66. The Legislature of the State of _____ should be prohibited by law from making appropriations more than six per cent greater than those of the previous year (or biennium).
67. There should be provision for the recall of state judges by popular vote.
68. The white citizens of the Southern States are justified in using all peaceable means to secure political supremacy.
69. The indeterminate franchise policy of Wisconsin should be adopted for the control of public service corporations in the State of _____.
70. The payment of money for obtaining signatures to initiative petitions should be prohibited by law.
71. Judges should be elected by popular vote.
72. Less than the whole number of a jury should be competent to render a verdict in all jury trials.
73. Members of state legislatures should be forbidden by law to accept free passes on any railroads.
74. All elective state officers should be nominated by direct primaries.
75. The Governor of _____ should be allowed to veto items in appropriation bills.
76. The normal-school instruction of the State of _____ should be

given at the State University and normal schools elsewhere be abolished.

77. The Massachusetts state civil service system should be adopted by the State of ——.

78. The number of state and county elective officers should be reduced to the following: governor, auditor, members of state legislature, county commissioners.

79. The State of —— should adopt a commission form of government.

80. A "blue-sky law" similar to that of Kansas should be adopted by the State of ——.

81. A "Public Necessity and Convenience" clause should be added to the public utility regulation of the State of ——.

82. A single-house legislature would be preferable to the present form of government of the State of ——.

83. The State should make all assessments for the property tax.

84. Nomination by petition should be adopted for state officers in place of the direct primary.

85. A system of sick-insurance similar to that recommended by the American Association for Labor Legislation should be adopted by the State of ——.

86. The state judiciary should be appointed by the Governor.

87. An executive budget system should be adopted in the State of ——.

POLITICS (MUNICIPAL)

88. A system of teachers' pensions should be adopted by the city of ——.

89. National party lines should be ignored in municipal elections.

90. The city of —— should organize and maintain a municipal university.

91. The Gary system of school organization should be adopted by the city of ——.

92. The city of —— should pass a law applying a confiscatory law to billboards.

93. Segregation of sexes in the high schools of —— is desirable.

94. Municipal markets, similar to those in German cities, should be established in the city of ——.

95. The direct system of paving constructions should be adopted in the city of ——.

96. The city of _____ should own and operate its lighting plant.
97. The city-manager plan of government, as outlined by the National Municipal League, is preferable to government by commission.
98. The consolidation of city and county government, similar to that effected in San Francisco, should be adopted in _____.
99. The California provisions for city and county home rule should be adopted in the State of _____.
100. The Ashtabula plan of proportional representation should be adopted in the city of _____.
101. The short ballot should be adopted for municipal elections.
102. "Jitneys" should not be allowed to run under the present regulations in the city of _____.
103. The city of _____ should adopt a city-manager plan of government.
104. The city of _____ should have an official board of censors for all motion pictures.
105. Cities of over 25,000 inhabitants should own and operate their local systems of transportation.

PEACE AND WAR

106. The League to Enforce Peace offers the best means of avoiding future wars.
107. The United States Government should own and operate all factories for the production of armor plate.
108. The United States should construct its battleships.
109. The exportation of all munitions of war from the United States should be prohibited.
110. There should be universal compulsory military service for male citizens of the United States.
111. The activities of the Navy League have served the best interests of the United States.
112. War should be declared only by popular vote.
113. Moneys expended for war preparation should be raised only by direct taxation.
114. A Secretary of Peace should be added to the Cabinet.
115. An International University should be maintained by the United States for the education of young men of all nations on a plan similar to that of the Rhodes Scholarships.
116. Officers of the army and navy should be prohibited from lobbying for increased armaments.

117. Congress should make provision for maintaining the navy at not less than its present strength.
118. The standing army of the United States should be substantially increased.
119. The United States should favor a formal defensive alliance with Great Britain.
120. The expenditures of the government for wooden ships during the war were unwarranted.
121. President Wilson's Mexican policy merits approval.
122. A large armament is the surest guaranty of peace.
123. The United States should adopt a policy of gradual disarmament.
124. Military drill should be compulsory in all public high schools.
125. The United States should adopt a system of compulsory military service modeled after that of Switzerland.
126. The coast defenses of the United States are adequate.

THE WAR

127. The invasion of Belgium by Germany was justifiable.
128. The sinking of the Lusitania was justifiable.
129. The reply of the Allies to the Peace Note of the Central Powers (December, 1916) was justifiable.
130. The proposal of President Wilson (December, 1916) to the nations at war for a peace conference was worthy of the endorsement of Congress.
131. The fundamental causes of the war were economic.
132. Japan was justified in entering the war.
133. The deportation of the Belgians by the Germans was justifiable.
134. The treatment of neutral shipping by the Allies was justifiable.
135. The United States should have officially protested against the violation of the neutrality of Belgium.
136. The United States should not have entered the war.
137. The United States should have prohibited the exportation of armaments and ammunition during the war.

ECONOMIC

138. Raw materials should be admitted to the United States free of duty.
139. Sugar should be admitted to the United States free of duty.
140. Foreign-built ships should be admitted to American registry free of duty.

141. A high tariff raises wages.
142. The amount of property transferable by inheritance should be limited by statute.
143. Foreign-built ships, owned wholly by Americans, should be admitted to American registry free of duty.
144. National banks should be allowed to issue credit currency to the extent of twenty-five per cent of their paid-up and unimpaired capital.
145. Free trade should be established between the United States and the Philippines.
146. The present tariff on iron and steel is justified on the ground of the protection of American industry against foreign competition.
147. Physical valuation of the property of a corporation is the best basis for fixing rates.
148. The United States Government should proceed at once to the extensive improvement of the inland waterways of the country.
149. There should be a minimum wage for men in the state of ____.
150. All church property should be taxed.
151. The passage of the Adamson Bill was not justifiable.
152. The right to relieve financial stringency by temporary deposit of United States Treasury funds in selected banks should be denied the officers of the Government.
153. State boards of arbitration, similar to the Massachusetts board, should be maintained in all the States for the purpose of settling labor disputes.
154. The boycott is a proper policy for organized labor.
155. Members of trade unions are justified in refusing to work with non-union men.
156. The history of trade unions for the past twenty years shows a tendency detrimental to the best interests of the country.
157. Department stores have proved a benefit to municipal communities.
158. The coal mines of the United States should be under federal control.
159. A system of compulsory arbitration of strikes should be established in the United States.
160. The United States should adopt a system of compulsory arbitration similar to that of New Zealand.
161. Labor-saving machinery has been injurious to the laboring classes.
162. Products of prison labor should be allowed to compete in the open market.

163. The principle of the "closed shop" is justifiable.
164. There should be a national board of arbitration, with compulsory powers, for settling disagreements between interstate railroads and their employees.
165. The best interests of the laboring classes would be advanced by the development of a separate labor party.
166. Labor unions are on the whole prejudicial to the best interests of the workingman.
167. Employers are justified in refusing to make agreements in regard to wages with labor unions of which a majority of their employees are members.
168. The powers of the National Bureau of Corporations should be extended to cover interstate transactions in insurance.
169. The movement of the labor unions for the "closed shop" deserves the support of public opinion.
170. Each State should pass a law requiring every corporation created by its charter to allow any stockholder to have access at all reasonable times to the names and addresses of all the stockholders.
171. American cities should seek the solution of the street-railway problem through public ownership and operation.
172. The Federal Government should provide the machinery for the compulsory investigation of controversies between employers and employees.
173. All goods, the price of which is controlled by a single capitalist or combination of capitalists, should be admitted free of duty.
174. Laws should be enacted providing that in case of personal injury to a workman arising out of, and in course of employment, his employer shall be liable for adequate compensation, and shall not set up contributory negligence or negligence of a fellow-servant as a defense.
175. It is economically disadvantageous for the United States to own territory in the tropics.
176. The income tax should include all incomes of \$1500 or more.
177. A personal property tax cannot be administered with fairness.
178. The single tax, as advocated by Henry George, is practicable.
179. The Federal Government should adopt a progressive inheritance tax, constitutionality conceded.
180. The principle of the income tax is just.
181. The best interests of the United States require the discontinuance of the protective policy.

182. Tariff should be imposed for revenue only.
183. The tariff on lumber should be substantially lowered.
184. The Federal Government should own and operate the railroads within its borders.
185. The Geary Exclusion Law should be reënacted.
186. Commercial reciprocity between the United States and Canada would be for the best interests of the United States.
187. The United States should subsidize the American merchant marine.
188. Laws should be passed compelling the management of a business undertaking which secures control of an industry to sell its product at reasonable rates without discrimination.
189. Commercial reciprocity between the United States and South America would benefit the United States.
190. A double monetary standard in the United States would be superior to a single standard.
191. The national debt should be paid as rapidly as possible.
192. Railroad pooling should be sanctioned by law.
193. The tax on the issues of state banks should be repealed.

EDUCATIONAL

194. No sectarian institutions should receive state aid.
195. No State should appropriate public funds to support educational institutions in competition with those adequately provided by private enterprise.
196. A university should be established in each State for the sole purpose of examining all candidates and conferring all degrees within the State.
197. All professional schools should require for admission at least two years of college work.
198. Apart from the question of expense, the small college is preferable to the large college for a majority of graduates of high schools.
199. For the United States the type of the English university is preferable to the type of the American university.
200. Admission to American colleges shoud be by examination only.
201. The best interests of American colleges demand the adoption of the honor system in examinations.
202. The work of the editor-in-chief of a college paper should count toward his degree.
203. The course of study at R—— College should be wholly elective.

204. The Carnegie Foundation for the Advancement of Learning has not been administered in the interests of its objects as originally announced.
205. Free schools should not be provided beyond the grammar grades.
206. The expenses of public high schools should be met in part by tuition fees.
207. The United States Government should maintain a national university at Washington.
208. The four-quarter system of the University of Chicago should be adopted by the University of _____.
209. University faculties should have representation on boards of trustees.
210. No institution should have the right to confer degrees except by act of Congress.
211. All the institutions of higher learning supported by the State of _____ should be under one president and one board of regents.
212. The college course leading to the degree of Bachelor of Arts should be three years.
213. Coeducation in higher institutions of learning is preferable to the segregation of the sexes.
214. Students in college courses who attain high rank in their daily work should be excused from examinations.
215. No student in his first year at college should be allowed to represent the college in intercollegiate athletic contests.
216. Intercollegiate football should be abolished.
217. Fraternities are detrimental to the best interests of R_____. College.
218. Superintendents of city schools should be elected for six-year terms.
219. No city school board should have more than seven members.
220. The school board of a city should be appointed by the mayor.
221. Religion should be taught in the public schools of New York.
222. Cities should furnish free textbooks to all pupils.
223. No prizes should be offered in public schools.
224. Secret societies in public high schools should be prohibited.
225. The State should prescribe uniform textbooks for the public schools.
226. The greater part of the studies in secondary schools should be elective.
227. A college graduate is more likely to succeed in business than a man of equal natural ability who enters business upon graduating from the high school.

228. The recommendations of the Simplified Spelling Board should be adopted by the American people.
229. The education of negroes in America should be industrial rather than liberal.
230. San Francisco was justified in excluding the Japanese from the public schools.
231. College entrance requirements should be lower.
232. A readjustment of values of the several subjects among the college entrance requirements is desirable.
233. Military drill should be compulsory in public high schools.

SOCIAL

234. The State of —— should provide for compulsory health insurance.
235. The Fifteenth Amendment to the Federal Constitution has been justified by subsequent history.
236. The canteen should be restored to the United States Army.
237. The State of —— should adopt the Carolina Dispensary System for controlling the use and sale of intoxicating liquors.
238. There should be a state censorship of the stage.
239. There should be national legislation making uniform the marriage and divorce laws of the States.
240. The United States Government should grant old-age pensions.
241. The growth of trusts tends toward socialism.
242. The policy of the United States in extending the franchise to the negro was ill-advised.
243. The aims and principles of socialism embody the only remedy for the present evils of the trusts.
244. The tendency of population to concentrate in the cities of the United States is detrimental to the best interests of the people.
245. For the State of —— high license is preferable to prohibition.
246. Children under fourteen years of age should be prohibited by state law from working in factories.
247. The wages of men and women should be the same for the same work performed.
248. The German system of compulsory insurance should be adopted in the United States.
249. The State of —— should adopt a system of retiring allowances for teachers supported in part by the State and in part by the teachers.

250. The State of _____ should provide for permanent compulsory segregation of the feeble-minded.
251. Free public employment bureaus should be established by each State.
252. The elimination of private profits offers the best solution of the liquor problem.
253. Social functions which involve lavish expense are unjustifiable.
254. Colonization is the best method of charity for the poor of large cities.
255. Prohibition is more conducive to temperance than high license.
256. The punitive clause of the Fourteenth Amendment should be enforced.
257. Life imprisonment, with restricted power of pardon on the part of the Executive, should be substituted for capital punishment in _____.
258. The Chinese should be excluded from the Philippines.
259. A constitutional amendment should be passed giving Congress exclusive control over marriage and divorce.
260. A system of compulsory "industrial insurance" should be adopted in _____.
261. The State of _____ should adopt the "Norwegian system" of dispensing liquor.
262. The Federal Government should establish a federal department of health in charge of a new cabinet officer.
263. Further restriction of immigration is desirable.
264. State prohibition has failed to benefit the people of Kansas.
265. The State of Maine should resubmit the Prohibitory Amendment to the people.

FOREIGN AND INTERNATIONAL

266. Armed intervention on the part of any nation to collect, on behalf of private individuals, financial claims against any South American nation is not justifiable.
267. Nations should agree that they will not intervene in the affairs of other countries for the forcible collections of public debts due to their citizens. [It is understood that this rule should not apply to debts in existence at the time of the adoption of the agreement.]
268. The interoceanic canal should be subject to the exclusive military and political control of the United States.

269. A nation advanced in civilization is justified in the interests of the world in enforcing its authority upon an inferior people.
270. The United States should use every diplomatic means to maintain the integrity of China.
271. A formal alliance between France and the United States, for the protection and advancement of their common interests, would be expedient.
272. It is for the best interests of the United States that the Panama Canal Zone should be neutralized by joint agreement of the powers.
273. The interests of nations would be best served by maintaining the integrity of China.
274. The United States should abandon the Monroe Doctrine.
275. The armament of European powers, beyond what is necessary to maintain domestic peace, is undesirable.
276. The policy of Great Britain in Africa is justifiable.
277. A Franco-Russian alliance, offensive and defensive, would be for the best interests of France.
278. The United States should combine with the great powers of Europe to bring about reforms in the Congo Independent State.
279. Home rule should be granted to Ireland.

MISCELLANEOUS

280. The execution of Charles I of England was justifiable.
281. The life imprisonment of Napoleon on the Island of St. Helena was justifiable.
282. The execution of John Brown was justifiable.
283. Vivisection, involving pain, should be prohibited by law.
284. The United States should substantially increase the appropriations for the Bureau of Education.
285. Arctic explorations have been justified by results.
286. The Fifteenth Amendment should be repealed.
287. There should be national supervision of life-insurance companies.
288. The National Government should coöperate with the States in the permanent improvement of the public highways.
289. The United States Government should discontinue free-seed distributions.
290. Women should be allowed to vote in school elections.
291. Letter postage should be reduced to one cent.

292. The United States Government should contribute funds for the exploration of the polar regions.
293. The Russian revolution of 1917 promoted the best interests of Russia.
294. The American Board of Foreign Missions is justified in accepting financial aid from Mr. Rockefeller.
295. Hypnotic entertainments should be prohibited by state law.
296. All church property should be taxed.
297. Any person who advocates putting to death, by legal sanction or otherwise, persons afflicted with an incurable disease should be punished for felony.
298. National expositions are a benefit to the country.
299. A representative should vote according to the wishes of his constituency.
300. England's course in the Boer War has been justified by the results attained.
301. The opponents of autocracy in Russia are justified in the use of violence.
302. The veto power of the House of Lords should be annulled.
303. The signatory powers at the Brussels Conference should deprive Belgium of all authority in the Congo Independent State.
304. Legislation should be adopted for the purpose of giving greater security to wills and bequests.
305. Life imprisonment, with a restricted power of pardon on the part of the governor, is preferable to capital punishment.
306. Permanent copyright should be granted by the United States Government.
307. Capital punishment should be prohibited by federal law.
308. The dramatization of novels is detrimental to the dramatic art.
309. The historical novel hinders the accurate conception of history.
310. Federal laws and licenses should govern automobiling.
311. Congress should require all railroads subject to its jurisdiction to adopt a block signal system.

FIRST PRACTICE

312. Written term examinations should be abolished.
313. Manual training should be included in high-school courses.
314. Government seed distribution should be continued.
315. The execution of Major André was justifiable.
316. The reading of the Bible in public schools should be required.
317. College property should be taxed.

318. The College Department of the University of —— should be thrown open to women.
319. Fraternities are desirable in R—— College.
320. The "honor system" should be adopted for all examinations in R—— College.
321. State laws prohibiting secular employment on Sunday should be repealed.
322. A third party has at present no place in American politics.
323. The class rushes at the beginning of the college year should be discontinued.
324. The City of —— should have a curfew law.
325. The new high-school building (or library building, or post-office, or court-house) should be located at ——.
326. No decisions should be rendered in intercollegiate debates.
327. Awards in intercollegiate debates should be made, not on the merits of the debate, but on the merits of the question.
328. R—— College should arrange for triangular debates with B—— College and S—— College.
329. The City of —— should build a municipal auditorium.
330. Loan funds are preferable to free scholarships as aids to college students.
331. In co-educational colleges, men and women should be eligible for intercollegiate debating teams on equal terms.
332. Teams representing —— College should not be allowed to go more than two hundred miles from the College during terms.
333. Students should not be declared ineligible for college teams because they have engaged in athletics for money.
334. The student-body tax at —— College should not be more than four dollars.
335. The hour for chapel should be changed.
336. Any *bona-fide* college student under twenty-one years of age, and having completed one year's work in good standing, should be allowed to represent in athletics the institution at which such work has been done, regardless of any compensation he may previously have received for his athletic ability.
337. The members of this class should support the Republican ticket in the next city election.
338. The members of this class should support the Republican state ticket.
339. Public libraries, museums, and art galleries should be open on Sunday.

340. The City of —— should make a larger appropriation for the maintenance of the public high school.
341. A college commons should be established at R—— College.
342. Chapel attendance at R—— College should be compulsory.
343. It would be for the interests of R—— College to hold a dual track meet with B—— College.
344. College dormitories should be in charge of undergraduate proctors.
345. In high-school graduation exercises there should be no speaking by members of the class.
346. Public libraries should not circulate novels until two years after publication.
347. The State of —— should establish a trade school for the blind.
348. Gymnasium work in R—— College should be compulsory throughout the course.
349. The State of —— should appropriate the sum of —— for the extermination of the gypsy moth.
350. The capital of the State of —— should be removed to ——.
351. The students of R—— College should have self-government.
352. The tuition in R—— College should be changed to ——.
353. The rules of the game of football should be radically revised.
354. Lincoln's plan of reconstruction was superior to the Congressional plan.
355. Ex-Presidents of the United States should receive a salary equal to one half the salary of the President.
356. The National Capital should be removed to a more central location.
357. Indians should no longer be treated as wards of the Government.
358. The cause of higher education in the State of —— would be better served by fewer colleges.
359. There should be a reform in our pension system.
360. The Rhodes Scholarships for the United States will accomplish the objects of the founder.

INDEX

Adler, Felix, quoted, 212.
Admitted matter, 41-45.
Alden, R. M., *The Art of Debate*, quoted, 1, 238.
Analogy, as exposition, 159-60; defined, 150; rarely sufficient as argument, 162-63; three tests of, 152-63.
Analysis of the proposition, exercises in the, 56-61; not governed by hard-and-fast rules, 21-22; steps in the, 19-20; summary of steps in, 56.
Angell, Norman, quoted, on conscription, Appendix XV.
Antecedent probability, argument from, 176.
A posteriori reasoning, 171.
A priori reasoning, 176.
Argument, *a posteriori*, 171; *a priori*, 176; from an antecedent probability, 176; from cause to effect, 176-80; from effect to cause, 171-76; from effect to effect, 180-81; from sign, 181-84; object of, 1.
Arnold, Matthew, *God and the Bible*, quoted, 94.
Assertion, weakness of mere, 92-95.
Attendant circumstances, importance of, in argument, 127-28.
Average, use of, in statistics, 219-20.
Baker, G. P., *Principles of Argumentation*, quoted, 13.
Bowdoin College, argument from, 317.
Brevity, a quality of style, 252-54.
Brief, the, 62-91; exercises in brief-drawing, 90-91; purpose of, 62-63; summary of rules for constructing, 89-90.
Bryan, W. J., argument opposed to League to Enforce Peace, quoted, Appendix XIV; quoted, 161-62.
Burke, Edmund, quoted, 34, 39, 109, 113, 153, 176, 231, 234-35, 251-52.
Calhoun, J. C., "How can the Union be preserved?" quoted, 24-27.
Cards, specimen, for the taking of notes, 117-19; rebuttal, 293.
Carleton College, specimen of analysis from, 20-21.
Carlyle, Thomas, quoted, 253, 263.
Cause to effect, argument from, 176-80.
Channing, W. E., quoted, 207.
Circulus in probando, the fallacy of arguing in a circle, 211-13.
Circumstantial evidence, 112-15.
Clash of opinion, 45-55, 78-79.
Clearness, a quality of style, 249-50.
Coherence, a principle of style, 247-48.
Colorado College, brief from, 74-76.
Concreteness, a quality of style, 254-56.
Concurrent testimony, 108-10.
Conscription, arguments for and against, Appendix XV.
Constitutions for debating clubs and leagues, Appendix XVIII.
Contrasting the contentions of affirmative and negative, 45-55, 78-79.
Conviction, differentiated from persuasion, 260-62.
Curran, J. P., quoted, 43, 51.
Debating, a final word about, 305-07; attitude toward opponents in, 293; burden of proof and presumption in, 275-78; closing rebuttal speech in, 291; delivery in, 299-302; emphasis in, 304; epithets in, 296; exchange of briefs in, 279; first speech for the affirmative in, 282-86; first speech for the negative in, 286-87; gestures in, 302; honor in, 297; invective in, 295; marking transitions in, 304; not mere con-

tentiousness, 275; other main speeches in, 287-91; preparation for, 280-82; reading quotations in, 303; ridicule and satire in, 295; tendency to quibble in, 278.

Deductive and inductive argument, 128-38.

Definition of terms, 28-38; a safeguard against fallacies, 192; by authority, 33-34; by exemplification, 35; by etymology, 36; by explication, 36-38; by negation, 34-35; four requisites of, 29-30; inadequacy of dictionary, 30-33.

Delivery, emphasis in, 304; enunciation in, 301; five methods of, 299-302; gestures in, 302; marking transitions in, 304; position in, 302; practice in, 303; reading quotations in, 303; voice in, 301.

Direct and indirect evidence, 112-15.

Earnestness, as persuasion, 263.

Ease, a quality of style, 250-52.

Effect to cause, argument from, 171-76.

Effect to effect, argument from, 180-81.

Elective system in high school, clash of opinion on, 46-47.

Eliot, Charles W., quoted, 135.

Eliot, George, quoted, 160.

Emerson, R. W., quoted, 263.

Emphasis, a principle of style, 244-47.

Erskine, Lord, quoted, 106.

Evidence, circumstantial, 112-15; defined, 92; direct and indirect, 112-15; expert testimony, 108; from authority, 97-99; necessity for, 92-96; negative, 112-13; selection of, 115-17; sources of, 119-21, Appendix XIX; taking notes of, 117-19; tests of evidence from authority, 99-111; two kinds, 96-97.

Exposing inconsistencies, a method of refutation, 233-36.

Fairness, as persuasion, 265.

Fallacies, *argumentum ad hominem*, 204; defined, 190; *ignoratio elenchi*, 204; in the use of statistics, 216-20; of arguing in a circle, 211-13; of begging the question, 211-16; of causal relation, 194-203; of confusing the issue, 209; of division, 209; of false analogy, 193; of hasty generalization, 193; of ignoring the question, 204-11; of shifting ground, 208; of the dilemma, 209.

Fielding, Henry, *Tom Jones*, quoted, 214.

Fiske, John, quoted, 170.

Generalization, four tests of, 141-50.

Genung, J. F., *Working Principles of Rhetoric*, quoted, 35, 36.

Hanus, Paul H., quoted, 32.

Hayne, Robert, quoted, 246.

Herndon, *Life of Lincoln*, quoted, 19, 298-99.

Hibben, J. G., *Logic, Deductive and Inductive*, quoted, 178.

Higginson, T. W., quoted, 281.

History and origin of the question, 22-28.

Honor in debate, 297-99.

Humor, as persuasion, 266.

Huxley, Thomas, *American Addresses*, quoted, 94, 125, 206, 232-33.

Ignoring the question, 204-11; specimens of, Appendix VIII.

Illustrations, as aids to force, 256-58.

Immediate cause for discussion, 22.

Incidental testimony, 107-08.

Inductive and deductive argument, 128-38; imperfect deductions, 136-38.

Intercollegiate athletics, argument opposed to, Appendix XVI; brief in favor of abolishing, 82-89.

Intercollegiate debates, specimen introductions from, 20; Appendices II, III, IV, XII.

Irrelevant matter, exclusion of, 38-41.

Issues, defined, 18; found only by studying both sides, 18-19; importance of, 13-16; not to be chosen arbitrarily, 16-18; reached through contrasting opposing contentions, 45-55; specimen sets of, 79.

Jevons, W. S., quoted, 126.

Lincoln, A., quoted, 24, 37, 50-51, 95, 110, 112, 130, 133, 151, 234.

Logic, contrasted with argument, 123-28; defined, 123; inductive and deductive, 128-38; in syllogistic form, 124.

Macaulay, T. B., quoted, 29, 127, 184, 196-97, 205, 230.

Military force of the United States, should it be increased? main issues, 52-53.

Mill, J. S., *On Liberty*, quoted, 18, 110, 123, 136-37.

Minimum wage for men, issues, 53-55.

Murray, Gilbert, quoted, 106.

Nation, The, quoted, 44-45, 133, 179-80, 187, 201, 237-38; 267-68; Appendix X.

Origin and history of the question, 22-28.

Perry, R. B., quoted, on conscription, Appendix XV.

Persuasion, sources of, 262-72.

Prejudiced authority, 104-07.

Princeton University, brief from, 74.

Principles of style, 243-58.

Proposition, analysis of the, 13-16; importance of exact phrasing, 2-3; should be debatable, 3-5; should be interesting, 9; should be phrased simply, 10-11; should cover familiar ground, 10; should give burden of proof to affirmative, 8-9; should have one central idea, 8; should not be ambiguous, 5-6; should not be too broad, 7; summary of requirements for, 11.

Propositions, a list of, Appendix XX.

Question-begging definitions, 216.

Question-begging words, 215.

Reade, Charles, quoted, 179.

Reductio ad absurdum, a method of refutation, 229-31.

Reed College, issues drawn up by, 52-55.

Refutation, position of, 227-28; presentation of, 228-29; selection of, 225-27; special methods of, 229-38; two essentials of, 238-39.

Reluctant testimony, 107.

Residue, a method of refutation, 231-33.

Restatement of the question as defined, 38.

Retiring allowance for teachers, brief in favor of, Appendix VI.

Roosevelt, Theodore, *Manly Virtues and Politics*, quoted, 271.

Ruskin, quoted, 135.

Sargent, Dudley A., on correlation between physical strength and mental ability, 109.

Self-control, as persuasion, 265.

Sidgwick, Alfred, quoted, 30, 190.

Simplicity, as persuasion, 264.

Simplified spelling, evidence in favor of, 96-97.

Sincerity, as persuasion, 263.

Special issues, 13-19; in advertising, 15; specimens of, 45-55.

Spencer, Herbert, quoted, 213.

Statistics, use of, 216-20.

Stevenson, R. L., quoted, 194.

Summer baseball for college students, brief, 74-76.

Survey, the, quoted, 38.

Syllogism, as a chain, 131-32; as deductive reasoning, 126; defined, 124; rules of, 124; used in refutation, 133.

Sympathy, as persuasion, 266-68.

Taft, W. H., quoted in favor of League to Enforce Peace, Appendix XIV.

Taking notes of evidence, rules for, 117-19.

Testimony from authority, concurrent, 108-10; expert, 103-04; incidental, 107-08; indefinite, 100-03; prejudiced, 104-07; reluctant, 107;

testimony of silence, 112-13; tests of, 111; undesigned, 107-08.

Tests of evidence from authority, 99-111.

Thayer, *Preliminary Treatise on Evidence*, quoted, 8.

Turning the tables, a method of refutation, 236-38.

Twain, Mark, quoted, 230.

Undesigned testimony, 107-08.

Unity, a principle of style, 243-44.

Webster, Daniel, in the White murder trial, quoted, 227; 42, 186, 294.

Wharton, Francis, *Criminal Evidence*, quoted, 92, 104.

Wilson, Woodrow, quoted, 34; Appendix XIII.

Yale University, brief from, 73.



10118887

